


Archives  
LD  
5025.9  
.F25783  
1988  
July  
c.1



Digitized by the Internet Archive  
in 2010 with funding from  
Lyrasis Members and Sloan Foundation

USC SPARTANBURG LIBRARY  
ARCHIVES



Archives  
LD  
5025.9  
.F25783  
1988  
July  
c.1

# FACULTY MANUAL

University of South Carolina  
at Spartanburg

1988



Major Revisions Approved by the Board of Trustees,

July 23, 1988



# TABLE OF CONTENTS

BOARDS, COMMISSIONS, AND UNIVERSITY OFFICERS.....	1-1
Boards and Commissions.....	1-1
Board of Trustees.....	1-1
Spartanburg County Commission for Higher Education.....	1-3
University Officers.....	1-4
President.....	1-4
System Officers.....	1-4
Chancellor.....	1-5
Vice Chancellors.....	1-6
Associate Chancellors.....	1-6
Deans.....	1-7
Assistant Deans, Division Chairs, School of Nursing Program Directors.....	1-7
FACULTY POWERS, ORGANIZATION, AND TEACHING RESPONSIBILITIES...	2-1
Powers and Organization.....	2-1
Faculty Powers.....	2-1
Faculty Organization.....	2-1
Faculty Committee Structure.....	2-3
Terms.....	2-3
<u>Ex Officio</u> Members.....	2-4
Chair.....	2-4
Chair-elect.....	2-4
Vacancies.....	2-4
Appointments.....	2-5
Responsibility.....	2-5
Elections.....	2-5
Jurisdiction and Membership.....	2-5
Implementation.....	2-5
Faculty Standing Committees.....	2-6
Academic and Facilities Planning.....	2-6
Admissions and Petitions Committee.....	2-6
Assessment Committee.....	2-6
Athletic Advisory Committee.....	2-6
Executive Academic Affairs Committee.....	2-7
Faculty Advisory Committee.....	2-9
Faculty Welfare Committee.....	2-10
Faculty Grievance Committee.....	2-11
Library Committee.....	2-11
Promotion and Tenure Committee.....	2-11
Student Affairs Committee.....	2-11
Student Financial Aid Committee.....	2-12
University Publications Board.....	2-12



Special Committees.....	2-13
Peer Review Committee.....	2-13
Ethics Committee.....	2-13
Faculty Senate.....	2-14
Membership.....	2-14
Senate Officers.....	2-14
Conduct of Meetings and Connection to General Faculty.....	2-14
Teaching Responsibilities.....	2-15
Statement of Policy.....	2-15
Regulations on Examinations.....	2-16
Grading System.....	2-16
Grade Reports and Changes of Grades.....	2-16
Statement on Academic Freedom.....	2-17
 EMPLOYMENT, BENEFITS, AND RETIREMENT.....	 3-1
Employment.....	3-1
Terms of Employment.....	3-1
Summer Sessions.....	3-1
Outside Employment.....	3-1
Dual Employment.....	3-2
Normal Work Schedule.....	3-2
Affirmative Action Policy Statement.....	3-2
Nepotism Policy.....	3-3
Policy Changes.....	3-3
Personnel Administration.....	3-3
Political Activity.....	3-4
Leave.....	3-4
Research.....	3-8
Consultant Activity.....	3-9
Reduction-in-Force Policy.....	3-9
Benefits, Privileges, and Services.....	3-10
State Insurance Plans.....	3-11
Health Insurance.....	3-12
Life Insurance.....	3-12
Dental Insurance.....	3-12
Insurance Changes.....	3-12
Termination of Coverage.....	3-13
South Carolina Retirement Systems and Optional Retirement Program.....	3-13
Membership.....	3-13
Contributions.....	3-13
South Carolina Retirement System.....	3-14
Optional Retirement Program.....	3-15
Disability Insurance.....	3-15
Flexible Benefits Plan.....	3-16
Tax Deferred Annuities, Deferred Compensation, and 401-K Plans.....	3-16
Social Security.....	3-16



Additional Benefits.....	3-17
Unemployment Compensation.....	3-17
Savings Bonds.....	3-17
USC System Credit Union.....	3-17
Distinguished Professor and Emeritus Titles.....	3-17
 APPOINTMENT AND SELECTION PROCEDURES.....	 4-1
Appointments to the Faculty.....	4-1
Appointment Procedures.....	4-1
Procedure for Selection of Deans.....	4-1
Procedure for Selection.....	4-2
Standard Search.....	4-2
Internal Search.....	4-3
Term of Appointment.....	4-3
Procedure for Selection of Division Chairs, Assistant Deans, and Program Directors.....	4-3
Term of Appointment.....	4-4
 REVIEW PROCEDURES.....	 5-1
Procedures for Both Administrative Annual Review and Faculty Peer Review.....	5-1
Objectives of Review.....	5-1
Criteria for Review of Teaching Faculty.....	5-1
Review Files.....	5-2
Administrative Annual Review of Faculty.....	5-2
Faculty to be Reviewed.....	5-2
Responsibilities of the Dean in Annual Review.....	5-2
Appeal of Administrative Annual Review.....	5-3
Publication of Annual Review Rankings.....	5-4
Faculty Peer Review.....	5-4
Faculty to be Reviewed.....	5-4
Membership of the Peer Review Committee.....	5-5
Responsibilities of Peer Review Committee Members.....	5-5
Responsibilities of the Peer Review Committee Chair.....	5-6
Appeal of Peer Review Committee Evaluation.....	5-6
 PROMOTION AND TENURE REGULATIONS.....	 6-1
Promotion and Tenure Committee.....	6-1
Duties.....	6-1
Membership.....	6-1
Tenure Criteria.....	6-1
Definitions for Teaching Faculty.....	6-2
Definitions for Library Faculty.....	6-3

Criteria for Ranks.....	6-4
Criteria for Promotion and Appointment of Teaching Faculty.....	6-4
Criteria for Promotion and Appointment of Library Faculty.....	6-5
Tenure Regulations.....	6-5
Regulations for Teaching Faculty.....	6-5
Regulations for Library Faculty.....	6-7
Regulations for Administrators.....	6-7
Review Procedures.....	6-8
File Submissions Prior to the Promotion and Tenure Committee.....	6-8
File Submission to the Promotion and Tenure Committee.....	6-9
Termination of Tenured Faculty.....	6-10
Termination for Failure to Perform Duties Due to Incompetence and/or Habitual Neglect of Duty; Termination for Misconduct or Conduct interfering with the Academic Functions of the University; for Medical Reasons; for Lapse or Withdrawal of License.....	6-10
Termination Because of Bona Fide Reduction in Staff.....	6-13
Termination Because of Financial Exigency.....	6-13
Termination Because of Reduction in Program or Instructional Unit.....	6-13
 FACULTY GRIEVANCE PROCEDURES.....	 7-1
Purpose and Definitions.....	7-1
Purpose.....	7-1
Definition of a Faculty Member.....	7-1
Grievable Matters.....	7-1
Administrative Review.....	7-2
Grievance Procedure.....	7-3
Preparation for the Grievance Hearing.....	7-3
Conduct of the Hearing.....	7-4
Internal Channeling form the Committee.....	7-5
 APPENDIX A: PATENT AND COPYRIGHT POLICY.....	 A-1
Purpose and Scope.....	A-1
Administration.....	A-2
Patent Policy.....	A-3
Documenting a Discovery.....	A-3
Developing Marketable Discoveries.....	A-4
Patent Development Organizations.....	A-5
Latent Discoveries.....	A-5
Equity.....	A-5

Copyright Policy.....	A-6
Definition of University-Commissioned Educational and Other Literary Materials and Media Materials.....	A-6
Ownership and Copyright.....	A-8
Pre-Production Agreement.....	A-8
Internal University Use.....	A-9
External Use.....	A-9
Revision.....	A-10
Equity.....	A-10
Protection and Liability.....	A-12
Consultant Activity.....	A-13

INDEX.....	I-1
------------	-----



## BOARDS, COMMISSIONS, UNIVERSITY OFFICERS

### Boards and Commissions

#### Board of Trustees

The University of South Carolina was chartered by the South Carolina General Assembly in 1801. The university is a senior college in the University of South Carolina nine-campus system and one of four campuses offering four-year degree programs. The university is accredited by the Southern Association of Colleges and Schools.

Composition of the Board of Trustees (Section 59-117-10, as amended). The Board of Trustees of the University of South Carolina shall be composed of the Governor of the State (or his designee), the State Superintendent of Education, the Chairman of the Senate Committee on Education (or his designee from that committee), the Chairman of the House Committee on Education and Public Works (or his designee from that committee), and the President of the Greater University of South Carolina Alumni association, which five shall be members ex officio of the Board; and seventeen other members including one member from each of sixteen judicial circuits to be elected by the general vote of the General Assembly as hereinafter provided, and one at large member appointed by the Governor. The Governor shall make this appointment based on merit regardless of race, color, creed or gender and shall strive to assure that the membership of the Board is representative of all citizens of the State of South Carolina.

Terms of Members (Section 59-117-20, as amended) The regular term of office of each trustee elected by the General Assembly shall be four years; however, such trustee shall continue to function as a trustee after his term has expired until his successor shall have been elected and qualified.

Vacancies: Compensation (Section 59-117-30, as amended) In case a vacancy should occur in the Board among the members elected by the General Assembly, the Governor may fill it by appointment until the next session of the General Assembly. Any vacancy occurring in the office of the member appointed by the Governor shall be filled for the remainder of the unexpired term by appointment in the same manner of the original appointment. Each member of the Board shall draw such per diem and expenses as from time to time may be allowed boards, commissions and committees.

Board a Corporation: Powers (Section 59-117-40, as amended) The Board of Trustees of the University of South Carolina is and is hereby constituted a body corporate and politic, in deed and in law under the name of the university of South Carolina. Such corporation has the following powers:

- (1) To have perpetual succession;
- (2) To sue and be sued by the corporate name;
- (3) To have a common seal and to alter it at pleasure;
- (4) To make contracts and to have, to hold, to purchase and to lease real estate and personal property for corporate purposes; and to sell and dispose of personal property and any buildings that are deemed by it as surplus property or not further needed and any buildings that it may need to do away with for the purpose of making room for other construction. All other powers shall be exercised in a manner consistent with the provisions of Chapter 35 of Title 11 of the 1976 Code;
- (5) To appoint a chairman of the Board of Trustees and to appoint a university president, treasurer and secretary, and in the appointment of these latter three to prescribe their duties and their terms of office and to fix their compensation;
- (6) To appoint or otherwise provide for the appointment of subordinate and assistant officers and agents, faculty members, instructors and other employees prescribing the terms of their employment, their duties, and fixing their compensations;
- (7) To make bylaws and all rules and regulations deemed expedient for the management of its affairs and its own operations not inconsistent with the Constitution and laws of this State or of the United States;
- (8) To condemn land for corporate purposes as provided in Section 59-117-70;
- (9) To fix tuition fees and other charges for students attending the university, but these shall not be inconsistent with statutes where the legislature undertakes to fix such fees and charges;
- (10) To confer degrees upon students and such other persons as in the opinion of the Board of Trustees may be qualified to receive them;
- (11) To accept, receive and hold all moneys or other properties, real and personal, that may be given, conveyed, bequeathed or devised to the university, and to use them for the benefit of the university but in those cases where such money or property is received charged with any trust then in every case such money or property shall be held and used strictly in accordance with the terms of such trust; provided, however, where the terms of any such trust would require something to be done other than merely to administer the trust no obligation in receiving the trust over and above merely its administration shall be binding upon the university or the State except such as are accepted by the General Assembly;
- (12) To assign any member of the faculty to additional duties in any other university department than that in which the faculty member may at the time be working and without additional salary;



- (13) In all investigations touching the affairs of the university the Board of Trustees is invested with full powers to compel by subpoena, rule and attachment witnesses to appear and testify and papers to be produced and read before such board;
- (14) To adopt such measures and make such regulations as may in the discretion of the Board of Trustees be necessary for the proper operation of the university;
- (15) To appoint for the university a board of visitors of such number as the Board of Trustees may deem expedient, and to regulate the terms during which the members of such board shall serve, and to prescribe the functions of such board of visitors;
- (16) To remove any officer, faculty member, agent or employee for incompetence, neglect of duty, violation of university regulations, or conduct unbecoming a person occupying such a position;
- (17) To appoint an executive committee not exceeding five members of the Board who shall have all the powers of the Board during the interim between meetings of the Board but not the power to do anything which is inconsistent with the policy or action theretofore taken by the Board, and the executive committee shall at each meeting of the Board report fully all action taken by it during the interim; and
- (18) To appoint committees of the Board of Trustees or officers or members of the faculty of the university, with such power and authority and for such purposes in connection with the operation of the university as the Board of Trustees may deem wise.

#### Spartanburg County Commission for Higher Education

**Composition.** The Spartanburg County Commission for Higher Education is composed of ten members appointed by the Governor on the recommendation of a majority of the Spartanburg County Legislative Delegation. The Executive Secretary of the Spartanburg County Board of Education shall be an ex officio member of the Commission.

**Terms of Members.** The Commission shall be appointed for terms of four years each and shall serve until their successors shall have been appointed and qualified.

**Powers and Duties.** The Commission shall be empowered to enter into contracts, make binding agreements, negotiate with educators and educational institutions and, generally, to take such actions in its name as are necessary to secure for Spartanburg County and adjacent areas the educational facilities above-described; provided, that the County of Spartanburg shall not be bound nor held liable for any acts of omission or commission of the Commissioners, nor by the provision of any

Approved 07/23/88



contract or agreement, expressed or implied, except upon written approval and consent of a majority of the members of the Spartanburg County Legislative Delegation.

The Commission may solicit funds and accept donations from various sources which it may expend in carrying out its objective.

**Educational Advisory Committee.** The Commission is authorized to appoint from Spartanburg County, and from adjacent areas as deemed appropriate, an Education Advisory Committee consisting of not less than ten nor more than fifteen members which shall meet and consult with the Commission from time to time as may be required.

**Compensation.** All members of the Commission and of the Educational Advisory Committee shall serve without compensation or fees.

### University Officers

#### President

The President of the university is the chief executive officer of the university system, which consists of nine campuses located throughout the State. As such, the President shall have full charge of the administrative activities of the university. The President shall serve also as the official medium of communication between the Board of Trustees on the one hand, and the university faculty, administrative officers, individual members of the staff, student organizations, and students on the other. The President is responsible to the Board for administering the educational and business policies of the institution, subject only to the laws of the state of South Carolina and the university rules and regulations prescribed by the Board of Trustees. The President is an ex officio member of the faculty and all faculty committees.

The President is assisted in directing the affairs of the university by the System Officers and administrators described below.

#### University of South Carolina System Officers

The Secretary to the Board of Trustees, in addition to the President, is the primary liaison between the Board and the University administration and is responsible for providing the

Board with information and services necessary to their role as a policy-making body.

The Executive Vice President for Academic Affairs and Provost of the University has responsibility for the overall supervision of academic affairs on the Columbia Campus and coordination of System academic matters.

The Executive Vice President for Administration has responsibility for the overall coordination of administrative matters throughout the University System.

The Senior Vice President for Business and Finance has the responsibility for the overall supervision of business and financial affairs of the University System.

The Senior Vice President for Development and Alumni Relations has the responsibility for development and alumni activities for the University System.

The Senior Vice President for Research has responsibility for providing Research and Development leadership for the University System, and the external research link to industry, State and Federal government.

The System Vice President and General Counsel provides legal counsel to the University System and directs representation of the University System in all litigation and administrative proceedings.

The System Vice President for Computer Services has responsibility for the planning, design, development, procurement, privacy, security, and delivery of computing systems, services, operations, and facilities.

The System Vice President for Facilities Planning has the overall responsibility for all physical facilities existing or planned in the University System.

The System Vice President for Law Enforcement and Safety plans, implements, and supervises law enforcement and safety functions for faculty, staff, students, and visitors for the University System.

The System Vice President for Personnel has the primary responsibility for the development, implementation, and supervision of comprehensive human resource management and affirmative action/equal employment opportunity programs for the University System.

The System Vice President for Research promotes awareness and involvement of the University System in public and private research programs, assisting faculty in developing research ideas, identifying funding opportunities, and submitting competitive proposals.

## Chancellor

The Chancellor for USCS Spartanburg is the chief administrative officer of the campus. The Chancellor is responsible for the operation and development of the campus and

the implementation of applicable university policies. The Chancellor reports to the President.

#### Vice Chancellors

Vice Chancellor for Academic Affairs is appointed by the Chancellor. The Vice Chancellor for Academic Affairs is responsible for curricula planning and development of the total educational program. The Vice Chancellor for Academic Affairs is responsible for faculty, library, and other academic services, including continuing education. The Vice Chancellor for Academic Affairs represents the Chancellor when appropriate.

Vice Chancellor for Institutional Support is appointed by the Chancellor. The Vice Chancellor is responsible for the overall supervision of activities in the areas of Student Affairs, Admission and Graduate Services, Fiscal Affairs, Information Services, Physical Plant and Personnel. The Vice Chancellor represents the Chancellor when appropriate.

Vice Chancellor for Development is appointed by the Chancellor. The Vice Chancellor is responsible for the institution's private fundraising programs, including those involving solicitation of alumni, friends, corporations and foundations. The Vice Chancellor represents the Chancellor when appropriate.

#### Associate Chancellors

Associate Chancellor for Business Affairs is appointed by the Chancellor and is responsible for all fiscal affairs of the institution including budget and fund accounting, accounts payable, accounts receivable, space and facility management, insurance, purchasing, inventory control, and campus supply.

Associate Chancellor for Admissions and Graduate Services. The Associate Chancellor for Admissions and Graduate Services is appointed by the Chancellor and is responsible for the Offices of Admissions, Financial Aid and Veterans Affairs, Alumni Affairs, and Placement.

Associate Chancellor for Student Affairs. The Associate Chancellor for Student Affairs is appointed by the Chancellor and is responsible for the Counseling and Career Development Center, Minority Student Affairs, Residential Life, Health/Wellness, Student Activities, and Intramurals.

## Deans

Deans of Schools are appointed by the Chancellor upon recommendation from the Vice Chancellor for Academic Affairs following the prescribed search procedures. Deans exercise direct supervision of the faculty and the academic programs in accord with the general instructions of the Vice Chancellor for Academic Affairs. The deans nominate personnel to be appointed as full-time and part-time faculty by the Chancellor. Deans have the authority to initiate curricula changes, scheduling, and curricula evaluation for their respective schools. They are responsible for faculty development and evaluation, with the approval of the Vice Chancellor for Academic Affairs.

The faculty of each school are to be consulted in significant matters concerning academic personnel and curricula.

## Assistant Deans, Division Chairs, and School of Nursing Program Directors

These persons report to the dean of their school. When delegated by the dean, they represent that person. They assist in the interpretation and the implementation of university policies and school, division, or program policies. They assist the dean in the performance of the duties of deans as outlined above.



# FACULTY POWERS, ORGANIZATION, AND TEACHING RESPONSIBILITIES

## Powers and Organization

### Faculty Powers

The Board of Trustees is the governing body of the university and the powers of the President and the faculty are delegated by the Board in accord with its policies. In all matters pertaining to the standards of admission, registration, requirements for the granting of degrees earned in course, the curricula, instruction, research, extracurricular activities, discipline of students, the educational policies and standards of the university, and all other matters pertaining to the conduct of faculty affairs, including the discipline of its own members, the faculty has legislative powers subject to the review of the Chancellor, the President, and the Board of Trustees.

As such occasions arise, the faculty have the opportunity to consider the appointment of all principal officers and, through an appropriate committee, communicate their views to the Chancellor. The faculty are also invited to communicate, through an appropriate committee, their views concerning the selection of the President of the university and the Chancellor for USCS.

### Faculty Organization

**Membership.** The university faculty consists of the President, the Chancellor, the Vice Chancellor for Academic Affairs, the associate chancellors, all deans, professors, associate professors, assistant professors, all full-time instructors and full-time lecturers in baccalaureate and associate degree programs, visiting faculty members, emeriti professors, librarians, and such other persons as the faculty sees fit to elect.

**Voting.** The following members of the faculty have the right to present motions and to vote: the President, the Chancellor, the Vice Chancellor for Academic Affairs, the associate chancellors, academic deans, chairs of academic divisions, librarians, professors, associate professors, assistant professors, instructors, and any administrative official who has tenure as a faculty member. Voting members may exercise their right to vote during absences from the university that are temporary in nature such as sabbaticals or leaves of absence.

**Voting Units.** Academic divisions that are recognized by the faculty senate are designated as separate voting units. The Library, the Schools of Business Administration, Education and



Nursing are considered separate voting units. In addition, the four divisions of the School of Humanities and Sciences, i.e., Fine Arts, Languages and Literature; Natural Sciences and Engineering; Mathematics and Computer Science; and Social and Behavioral Sciences, are designated as separate voting units.

Faculty whose course loads are divided evenly across disciplines found in more than one voting unit are eligible to vote in only one of the two units. The unit that the faculty member votes in is determined by the faculty member's designation on the Payroll Budget and Personnel 1 form (PBPl) filed in the Personnel Office. If a faculty member wishes to change voting units, the request is communicated in writing to the administrative heads of both units (deans and/or division chairs). Membership in the new voting unit requires all of the following:

- (1) agreement by a majority of faculty in that voting unit,
- (2) consent by the deans involved in the change, and
- (3) approval by the Vice Chancellor for Academic Affairs and Chancellor.

If the request is approved, the Vice Chancellor for Academic Affairs issues a letter of change in voting unit and notifies the Personnel Office, the deans and/or division chairs, and the Faculty Secretary.

Membership in the voting unit determines the faculty member's rights for voting, committee assignment, and any other kind of participation in decisions made within the academic disciplines taught by the faculty member. Courses taught in an academic discipline from a different voting unit are not construed as automatically conferring the right to participate in decisions made within that discipline.

Officers. The Faculty Secretary is the presiding officer of the faculty and the Faculty Senate. The Secretary prepares and circulates the agenda for meetings at least five days prior to the meeting date. The Faculty Secretary acts as University Marshal. As University Marshal, the Faculty Secretary is responsible for ceremonial programs of USCS. The Faculty Secretary-elect serves as presiding officer in the absence of the Faculty Secretary. The Faculty Recording Secretary records and distributes to the members of the faculty written minutes of the general faculty and Faculty Senate meetings, and annually compiles and publishes a summary of faculty actions.

The Faculty Secretary, Faculty Secretary-elect, and Recording Secretary are elected by the faculty. Faculty officers are not to be counted as their school's or division's representatives to the Faculty Senate.

General Meetings. General faculty meetings are held in September and April. The President or the Chancellor may call a special meeting of the faculty. A special meeting of the faculty may also be called by 25 percent of the voting members of the faculty who submit a written request to this effect to the Faculty Secretary. Upon receipt of this request, the Faculty Secretary sets a date for a meeting to be held within seven days.



The Faculty Senate represents the faculty and serves as a legislative body. It hears reports from various committees of the university.

**Conduct of Business.** The faculty follow Robert's Rules of Order (Revised) unless otherwise stipulated. The Faculty Secretary-elect serves as parliamentarian. Voting is by voice or show of hands unless a written ballot is desired. All elections are conducted by secret ballot.

An agenda is prepared prior to the general faculty meeting and faculty senate meeting by the Faculty Secretary. Faculty members may contribute to the agenda by submitting items to the Faculty Secretary. This agenda may include (1) forthcoming elections to committees, when pertinent, (2) statements from the Chancellor on major policy, (3) reports of faculty and appointed committees, (4) old business, (5) new business, including matters raised from the floor.

**Faculty Committees.** The faculty establishes such standing or special committees as it deems necessary. The members of such committees are elected by the faculty or appointed by the Chancellor. All student members of standing faculty committees are voting members. There is no proxy in case of absence.

Members may not succeed themselves as members of the same committee, except as otherwise noted. Faculty elected to fill unexpired terms on committees are eligible for re-election. Faculty members may not serve simultaneously on more than two standing faculty committees.

Each standing faculty committee meets at least four times a year. Each standing faculty committee is an agency of the faculty and makes written reports containing a summary of its activities and actions to the faculty at the April faculty meeting of the academic year. These reports become a part of the minutes.

## **Faculty Committee Structure**

### **Terms**

Terms of all appointed and elected members are for three years. Faculty standing committees are organized in April. New committee members and chairs assume duties after the spring commencement.

### Ex Officio Members

Ex officio members are not considered to be members of a committee when computing their maximum of two committee assignments. The role of ex officio members of a committee is to serve in an advisory capacity. Ex officio members should make available to the committee their knowledge and they are not empowered to vote, except as noted, in the decisions of the committee. They should not attempt to exercise control in the decisions of the committee. An ex officio member of a committee cannot be elected chair of a committee. The Chancellor is an ex officio member of all committees and is not listed as such separately.

### Librarians and Committee Service

The library faculty are not required to serve on either the Executive Academic Affairs Committee or the Academic Facilities Planning Committee. Librarians retain representation on the Promotion and Tenure Committee and would be able to serve on the EACC and AFP, if elected.

### Chair

Each committee elects its own chair annually. The chair votes only in case of a tie. A faculty member may chair only one committee.

### Chair-elect

Each committee chooses a chair-elect who normally becomes chair after one year. The chair-elect presides in the absence of the chair.

### Vacancies

Vacancies in committee membership caused by unexpired terms are filled by appointment or election in accordance with the means by which the position originally was filled.

## Appointments

All appointments to committees are made by the Chancellor.

## Responsibility

Committees serve in an advisory capacity to the faculty and/or the administration. Committee chairs report all committee actions and recommendations in writing to the Faculty Secretary.

## Elections

Faculty standing committees are organized in April. New committee members and chairs assume duties after the spring commencement. All elections are decided by majority vote of the faculty after due notice of the election has been given.

## Jurisdiction and Membership

It is understood that the duties of committees and their constituent personnel are drawn from and limited to USCS except where otherwise noted.

## Implementation

New faculty committees may be created as deemed necessary and must be approved by the Faculty Senate. Changes in continuing committees are made in the month in which the terms of their members are scheduled to begin. (In order to fill committees in the first year, it may be necessary to appoint and elect some members for one-year or two-year terms only).

## Faculty Standing Committees

### Academic and Facilities Planning Committee

The Academic and Facilities Planning Committee consists of one faculty member elected from each voting unit and two student representatives appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Vice Chancellor for Academic Affairs and the Asst. Vice Chancellor for Records and Registration are ex officio members.

The committee assists in establishing priorities for university academic programs, reviewing and/or initiating plans for new concepts and programs, and the cancellation of programs. The committee advises the administration on facilities utilization, building and grounds, and the planning of new facilities in accord with the academic programs of the university.

### Admissions and Petitions Committee

The Admissions and Petitions Committee consists of six faculty members elected at-large. The Director of Admissions, the Asst. Vice Chancellor for Records and Registration, and the Vice Chancellor for Academic Affairs are ex officio members.

The committee considers admission and continuation policies within university guidelines and recommends to the Faculty Senate and the Chancellor any modifications to these policies where advisable. The committee may suspend normal entrance and continuation requirements for individual students, as permitted by university guidelines. The committee may establish special procedures for reviewing applicants during summer terms.

### Assessment Committee

The Assessment Committee consists of one faculty member elected from each voting unit and two student representatives appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Vice Chancellor for Academic Affairs, the Associate Chancellor for Student Affairs, and the Director of Assessment serve as ex-officio members.

The committee recommends to the Faculty Senate and to the administration the means of assessing institutional effectiveness, the procedures for assessment, and the disposition of all information gained through the assessment program. The committee encourages appropriate individuals to comment on and to interpret the data, statistics, and results of all assessment programs.

## Athletic Advisory Committee

The Athletic Advisory Committee consists of six faculty members elected at-large and two student members appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Athletic Director, the Faculty Athletic Representative, and the Vice Chancellor for Academic Affairs are ex officio members.

The committee rules on all questions of student eligibility. It develops a philosophy regarding the athletic program and the scheduling of athletic events. The committee forwards to the Faculty Senate for consideration recommendations on conference affiliations, the addition or deletion of sports, or any other major changes in athletic policy.

The Athletic Advisory Committee sends to the Nominating Committee nominations for the Faculty Athletic Representative from members of the Athletic Advisory Committee or from faculty who are interested in athletics (coaches excluded) for the position of Faculty Athletic Representative. The term is for three years. The term is renewable. The Faculty Athletic Representative is nominated and elected according to the normal committee assignment procedure.

The duties of the representative include but are not limited to providing continuity in interpreting campus, athletic association, and conference regulations. The Representative certifies academic eligibility of athletes with assistance of the Registrar. In addition, the Representative promotes academic achievement among student-athletes and ethical standards in sports. The Representative informs the Director of Athletics faculty concerns. In the absence of the Chancellor and Athletic Director, the Representative serves as campus delegate to athletic associations or conferences. The Representative assists in the search process for athletic personnel.

## Executive Academic Affairs and Division Committees

**School and Divisional Committees.** The school and division Academic Affairs Committees consist of both school (or divisional) committees and an executive committee. Membership in these school or divisional committees is constituted as follows:

At least one individual is elected to represent each academic discipline within the school or division that has three or more faculty within that discipline.

At least one individual is elected to represent all other academic disciplines having fewer than three faculty members in that school or division.

Approved 7/23/88  
Revised 7/30/92



Additional members are elected at-large to make a minimum committee membership of three (provided that the areas of concentration and/or degree programs are equitably represented); in the case of single discipline schools such as Education, Business Administration and Economics, and Nursing, a committee with a minimum of three elected members are chosen provided that the areas of concentration and/or degree programs are represented equitably.

Members of the school or divisional committees serve for a term of three years. Normally these terms are staggered in order to provide for continuity.

Each school or division elects a chair from the membership of that committee for a term of three years. The responsibilities of these chairs are to:

- (1) call and conduct meetings as needed;
- (2) receive, process and disseminate all proposals for curriculum change within the school or division;
- (3) record and report to the executive committee chair all academic matters requiring faculty action;
- (4) represent or designate one member to represent and school or divisional committee on the Executive Academic Affairs Committee.

The school or divisional committee is primarily responsible for reviewing and evaluating all proposals for curriculum changes initiated by members of that school or division. These proposals are then forwarded the school deans for their recommendations. Proposals not signed after ten full working days by the school or division academic affairs committee chair, the assistant dean or division chair, or the school dean may be forwarded without signatures (on the initiative of those making the proposal) to the next level of review. Proposals are then sent to the Executive Academic Affairs Executive Committee for approval. However, the executive committee cannot revise or alter recommended proposals without the consultation of the affected school's or division's representative.

**Interdisciplinary Studies Academic Affairs Committee.** The committee consists of four elected members. One member is elected from each division of the School of Humanities and Sciences and one from the School of Business Administration and Economics. Terms are for 3 years. When necessary, members are elected to the committee in the spring of each academic year at the divisional and school meetings. In the case of vacancies, the division or school elects a replacement to fill out the unexpired portion of the term. The committee elects its own chair from among the representatives; that person serves as an ex officio member to the Executive Academic Affairs Committee.

This committee has all the authority as defined in the Faculty Manual of any school or division academic affairs committee with respect to the Interdisciplinary Studies Program. In addition, the IDS Academic Affairs Committee serves in an advisory capacity to make recommendations to the director, the dean, the Executive

Academic Affairs Committee, and the Faculty Senate on policy changes. These recommendations are based on information concerning, but not limited to, admissions, requests for waivers, student demographics, and the impact of university-wide curriculum changes such as the general education requirements. This information is reported to the committee once a semester by the director.

**Executive Committee.** The Executive Academic Affairs Committee is composed of one designated representative from each voting unit. Ex officio members are the Vice Chancellor for Academic Affairs and the Asst. Vice Chancellor for Records and Registration.

It is the duty of the Executive Academic Affairs Committee to consider and recommend to the Faculty Senate action on all requests made by the school or division committees for addition or deletion of courses. The committee reviews existing and proposed curricula with special attention to duplication or obsolescence of courses. It considers matters concerning academic requirements and standards, and reviews current policies and practices for the purpose of making recommendations for changes therein to the Faculty Senate. The committee also considers petitions of students who seek relief from university scholastic regulations or who feel an injustice has been done them in their academic work.

The general education program of USCS is under the supervision of the School of Humanities and Sciences. The administration of the program is the responsibility of the Dean of the School of Humanities and Sciences subject to normal curriculum and program development or deletion procedures.

The Executive Academic Affairs Committee is responsible for the management and assessment of the general education program. The committee is responsible for reviewing all courses suggested for inclusion in the general education curriculum. The committee determines if the courses included in the general education curriculum contribute to the goals of general education as they are stated in the catalog under Academic Programs. It may also review the general education curriculum to determine if the curriculum meets the objectives established by the faculty of the university. In addition, the committee makes recommendations to the Faculty Senate on the consequences of any change in general education course requirements.

#### **Faculty Advisory Committee**

The Faculty Advisory Committee consists of the faculty secretary, the secretary-elect, the recording secretary, the chairs of the Executive Academic Affairs Committee and the Promotion and Tenure Committee and one faculty senate member elected from each voting unit not represented by the aforementioned positions. The elected members serve for terms of one year. In addition, the previous year's Faculty Secretary serves as an ex officio member with voting privileges. The Vice Chancellor for Academic Affairs serves as an ex officio member.

Approved 7/23/88  
Revised 7/30/92



The committee assists in establishing the agenda for faculty senate meetings and serves as an advisory committee to members of the administration.

The committee presents to the faculty a slate of nominees for regularly elected positions on standing committees, and presents to the Chancellor a similar slate of nominees for filling vacancies to the appointed positions on standing committees. The committee nominates a faculty member to represent USCS on the Arts Council of Spartanburg County.

#### Faculty Welfare Committee

The Faculty Welfare Committee consists of six faculty members elected at-large. The committee communicates to the appropriate administrative officials in the form of suggestions the desires of faculty members pertaining to faculty welfare. It serves as a medium through which faculty members may suggest changes and modifications or make known their thoughts relating to faculty welfare. The committee requests from the Office of the Vice Chancellor for Academic Affairs a summary in writing of administrative ratings of the 1) chancellor, 2) vice chancellor for academic affairs, 3) vice chancellor for institutional support, 4) deans of schools including assistant deans, division chairs, and program directors and final salary recommendations for the faculty. It reviews and publishes this information in the faculty senate minutes no later than the close of that calendar year for the general information of the faculty. The information includes the percentages of administrative ratings for each category given by school and division. In conjunction, a summary of the final salary recommendations is submitted for each of the following categories: (a) school, (b) division, (c) men, (d) women, (e) blacks and other minorities.

In general, areas of committee concern apply to the faculty as a whole rather than to individuals and include but are not restricted to:

- (1) fringe benefits, rank, and salary ranges within the university system;
- (2) policies regarding teaching load;
- (3) conduct and professional ethics;
- (4) general faculty morale.

Complaints about possible violations of the Code of Ethics as stated in the Promotion and Tenure Guidelines should be reported to the chair of the Faculty Welfare Committee who will be responsible for reporting the matter to the chair or Chair-elect of the Promotion and Tenure Committee for investigation.

## Faculty Grievance Committee

The membership of the committee consists of tenured faculty members (not having faculty administrative or supervisory responsibilities) one elected from the library faculty and two elected from each of the remaining voting units. Terms are for three years.

## Library Committee

The Library Committee consists of nine voting members: six faculty members elected at-large, and three student members appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Vice Chancellor for Academic Affairs and the Dean of the Library are ex officio members.

The Library Committee is charged with the responsibility of monitoring the success with which the services and resources of the library meet the needs of the university and the community. The committee serves as the primary channel of communication between the library and the faculty. In order to fulfill that responsibility, any library policy which affects library patrons is reviewed by the committee, approved by the Faculty Senate, and forwarded to the Vice Chancellor for Academic Affairs before implementation.

## Promotion and Tenure Committee

Membership on the Promotion and Tenure Committee is described in this Manual in the section "Promotion and Tenure." The committee recommends to the full faculty guidelines for criteria and procedures for the operation of promotion and tenure policies. It reviews and makes recommendations to the Chancellor on all promotion and tenure cases. Promotion and tenure criteria are described in this Manual in the section "Promotion and Tenure."

## Student Affairs Committee

The Student Affairs Committee consists of six faculty members elected at-large and three student members. Faculty members are elected for a three year term, with at least two new members being elected each year. Student members are appointed annually by the Chancellor from among nominations submitted by the Student Government Association. Ex officio members are the President of the Student Government Association and the Associate Chancellor for

Approved 7/23/88  
Revised 7/30/92

Student Affairs, and the Vice Chancellor for Academic Affairs.

The committee makes recommendations to the Faculty Senate regarding the Academic Honor Code and the Campus Discipline Code.

The committee considers policies on registration and orientation and makes recommendations on these matters to the Vice Chancellor for Student Affairs.

The committee recommends to the faculty policies concerning extra curricular student activities.

The committee makes recommendations to the Chancellor regarding expenditures of student activity fees based on recommended budgets approved by the Student Government Association.

In addition, the committee reviews proposals for student programs and it awards grants to those that satisfy the committee's criteria.

#### **Student Financial Aid Committee**

The Student Financial Aid Committee consists of six faculty members elected at-large and three student representatives appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Director of Student Financial Aid and the Vice Chancellor for Academic Affairs are ex officio members.

A subcommittee composed of the faculty members of the committee awards the scholarships and reviews and approves the allocation of funds awarded by the Director of Student Financial Aid. The Director of Student Financial Aid informs the subcommittee (prior to the awarding date) of the scholarships and other financial aids available.

#### **University Publications Board**

The University Publications Board consists of three faculty members elected at-large and four student members appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Associate Chancellor for Student Affairs and the advisors of *The Carolinian*, *Maggie's Drawers*, and *Carolana*, are ex-officio members. Three student editors also serve as ex-officio members. Student members may not serve as Publications Board Chair. The board nominates student editors for all student publications. Editorial appointments are for one year. It recommends the termination of an appointment should editors fail to perform their duties in a suitable manner. It makes recommendations to the Student Government Association and the Chancellor concerning budgets for

Approved 7/23/88

Revised 7/30/92

USCS publications, including salaries to be paid editors. It develops and recommends to the Chancellor publication policies. It selects faculty advisors for all publications. The board encourages the development of publications which enhance the USCS educational and extracurricular programs.

### Special Committees

This section includes listings and descriptions of university committees established by the Faculty Senate that function outside the governance of the Faculty Senate. The Faculty Secretary is authorized to appoint ad hoc and special committees.

#### Peer Review Committee

As part of a comprehensive system of faculty evaluation, the university has established annual review committees charged with the responsibility of conducting peer evaluations.

Peer Review Committee members make explicit recommendations to the Promotion and Tenure Committee on candidates seeking promotion and/or tenure. The Peer Review Committees base their recommendations for promotion and/or tenure upon the criteria found in the section "Promotion and Tenure."

Each school as well as each division of the School of Humanities and Sciences has a Peer Review Committee composed of five elected faculty members from the respective academic unit.

A description of policies and procedures for annual review as well as for peer review is found in this Manual in the section on "Review Procedures."

#### Ethics Committee

The Ethics Committee is responsible for reviewing all nonfunded research projects involving human subjects prior to conducting the research. The Director of Sponsored Projects serves as an ex officio member.

The USC Institutional Review Board for the Use of Human Subjects, a USC system faculty committee coordinated by staff in the Office of Sponsored Programs and Research on the Columbia campus, is responsible for reviewing all research grant proposals involving human subjects submitted for funding.

The committees seek to insure that researchers follow the Department of Health and Human Services regulations protecting human subjects involved in the conduct of research.

Approved 7/23/88  
Revised 7/30/92



## Faculty Senate

### Membership

Membership in the Faculty Senate is confined to individuals who are eligible to vote in general faculty meetings. Representation is allocated as follows: one representative for each seven faculty members, or portion thereof. The representatives from each voting unit are elected by secret ballot by members of the faculty of that unit prior to the September faculty meeting. The term of office is three years, with the term of one-third of the Faculty Senate expiring each year. The Faculty Secretary-elect, the previous year's Faculty Secretary, and the Recording Secretary are voting members of the Senate.

### Senate Officers

The presiding officer of the Faculty Senate is the Faculty Secretary, who is called the Chair of the Faculty Senate when acting as the presiding officer. The Faculty Secretary-elect presides over the Faculty Senate in the absence of the Faculty Secretary and serves as parliamentarian for meetings of the Faculty Senate. The Faculty Recording Secretary serves as Secretary to the Faculty Senate.

### Conduct of Meetings and Connection to General Faculty

All meetings of the Faculty Senate are open to all members of the faculty; all members of the faculty have the right to address the Faculty Senate. All votes taken in the Faculty Senate are by voice or show of hands, unless a written ballot is desired by any senator. A decision by the Senate may be overruled by a majority of the faculty present at a regular or called faculty meeting. The Faculty Secretary must call a faculty meeting for the purpose of reconsidering an action of the Senate upon receipt of a petition signed by 25 percent of the voting members of the faculty.

## Teaching Responsibilities

The teaching responsibilities of the instructional staff are among those areas of university life which have for generations been a part of the unwritten code of scholars. The university conceives them to be so important that the performance of the instructional staff in meeting the provisions of this code is taken into consideration in determining salary increases, tenure, and promotion.

### Statement of Policy

**Course Objectives.** Faculty members are responsible for stating clearly the objectives of each course they teach at the beginning of each term. Instructional staff members direct their instruction toward the fulfillment of these objectives. Instructional staff members are responsible for insuring that the content of the courses which they are assigned to teach conforms to the course descriptions published in the USCS Catalog.

**Grading.** Faculty members are responsible for informing students in their classes of the methods employed in determining the final course grade and of any attendance requirements. At the request of the student, a faculty member should make available information, an evaluation, or both, of the student's progress and should give and return at least one quiz prior to the published drop date.

**Graded examinations and papers** are provided to the student for inspection and discussion. Final examinations are retained for one semester to provide the opportunity for review with the instructor, if the student desires. Examinations are graded within sufficient time to make the examination a part of the student's learning experience.

**Class meetings.** All instructional staff members are expected to meet their classes regularly and at scheduled times. In case of illness or any other emergency, instructors notify the dean or division chair so that appropriate action may be taken.

**Office hours.** Faculty and administrative personnel should be easily available to students. Consequently, every faculty member posts and maintains office hours. A schedule of five hours a week, or one hour each class day, is considered as minimally acceptable. Full time faculty may not schedule all office hours on one day. Faculty members should submit a copy of their schedule to their dean.

**Advising.** Faculty members responsible for academic advising are expected to be in their offices at specified hours for advising during the school year.

**Syllabi.** Faculty are expected to file in the dean's office copies of current syllabi for courses taught.

Approved 07/23/88

Revised 04/13/90

2-15

**Student Petitions.** Students who feel the above policy and procedures have been violated should be referred to the Vice Chancellor.

**Textbooks.** Each school or division selects an individual to act as textbook coordinator for book orders within that discipline. Textbook coordinators provide their dean or division chair with all necessary textbook requirements for approval. This list for textbook requirements is due in the dean's office or division chair's office on approximately April 10 for the fall semester, October 10 for spring semester and March 10 for all summer sessions.

### Regulations on Examinations

Final examinations each semester are given in accord with a schedule published in advance of the examination period. No deviation from this printed schedule is permitted unless specific prior approval has been secured from the Vice Chancellor. All such deviations must be reported to the Registrar. This provision does not apply to laboratory examinations. Final laboratory examinations may be given during the last scheduled laboratory meeting or according to the final examination schedule.

In any course which meets two or three times a week, no quiz, test, or examination is given during the last two class sessions prior to the regular examination period. In any course which meets once a week, no quiz, test, or examination shall be given during the last class session prior to the regular examination period. In any course which meets more than three times a week, no quiz, test, or examination shall be given during the last three class sessions prior to the regular examination period.

### Grading System

For a detailed discussion of the current grading system, consult the USCS Catalog.

### Grade Reports and Changes of Grades

All grades are due in the office of the Registrar as requested by that office. The Registrar is responsible for



delivery of the grades to the Office of Administrative Services on the Columbia campus for processing by data processing equipment, and therefore it is essential that faculty members report all grades as requested.

All students listed on the grade sheet must be given a grade. Any student not assigned a grade by the instructor is assigned a mark of "NR" by the Registrar.

### Statement on Academic Freedom

USCS adheres in principle to the American Association of University Professors' "Statement on Academic Freedom." The university's policy shall be to defend academic freedom against any encroachment. As a center of learning, a university depends upon the free search for truth and its free exposition. The university has adopted the following statement on academic freedom:

Faculty members are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties, but research for pecuniary return shall be based upon an understanding with the authorities of the institution (see Appendix A, "Patent and Copyright Policy").

Faculty members are entitled to freedom in the classroom in discussing their subjects.

Faculty members are citizens, members of a learned profession, and officers of the institution. When faculty members speak or write as citizens, they are free from institutional censorship or discipline, but their special position in the community imposes special obligations. As persons of learning and as educational officers, faculty members shall remember that the public may judge their profession and their institution by their utterances. Consequently, faculty members shall at all times be accurate, shall exercise appropriate restraint, shall show respect for the opinions of others, and shall make every effort to indicate that they are not spokespersons for the institution.

Faculty members who feel that their academic freedom has been infringed may make written request of the Chancellor that an investigation may be made of their case. The request should set forth in a clear and concise manner the events and circumstances upon which the charge is based. The Chancellor may refer the question to an appropriate faculty committee. See also the section "Grievance Procedures," in this Manual.



## EMPLOYMENT, BENEFITS, RETIREMENT

### Employment

#### Terms of Employment

In the absence of special arrangements, employment of the members of the faculty is for a period of nine months. In the event that employment is or subsequently becomes for one semester, either fall or spring, the salary is one-half the nine month stipend.

All members of the faculty must be available from the fourth calendar day prior to the first day of registration and at least until after commencement. These dates are provided by the Vice Chancellor at least four weeks in advance.

#### Summer Sessions

Regular members of the faculty, i.e., faculty with full-time appointments not made for a specific period of time, who were hired prior to September 1, 1973, may teach in one of two summer sessions for which they receive 15 percent of the salary received during the previous academic year. Faculty hired after September 1, 1973 may be offered the opportunity to teach a maximum of two courses at 7 1/2 percent of their base salary for each course, subject to availability. In the case of limited enrollments, faculty members may be offered the opportunity to teach at reduced compensation.

#### Outside Employment

A member of the university faculty may be permitted to do professional work of an expert character outside the university and to receive pay when the work in question contributes to the professional development of the faculty member. No such outside work is undertaken except on the prior approval of the dean of the school, the Vice Chancellor, and the Chancellor. The university reserves the right to declare a conflict of interest at any time. No members of the teaching staff receive compensation for tutoring students in any course for which they are empowered to grant the student credit, or over which they have any authority. This is not to be interpreted as prohibiting

tutoring for remuneration in subjects over which the faculty member has no control.

#### Dual Employment

Employment and compensation by any state agency in excess of an employee's regular salary for temporary, part-time contractual, honorarial, or consultative service is considered dual employment and must be approved in advance by the State Budget and Control Board. Laboratories, equipment and other facilities of the university generally are not available to university employees for consulting work.

#### Normal Work Schedule

The work schedules of full-time faculty are necessarily flexible but, as a guide, the normal semester teaching assignment is twelve semester hours or its equivalent. Teaching assignments are, of course, affected by the number of students in the class, the level of the course, research, and other assigned duties.

All absences are incorporated into the dean's semimonthly report to the Comptroller. All sick leave must be reported to the Personnel Office (consult the policy on "Sick Leave," in this Manual). The Vice Chancellor should be notified by memorandum of any sick leave taken by a faculty member that is in excess of five consecutive days. Deans notify the Vice Chancellor if they expect to be absent from the campus. In the event of any absence for unusual amounts of time, either on the part of a dean, divisional chair or faculty member, the Vice Chancellor should notify the Chancellor.

#### Affirmative Action Policy Statement

USCS is committed to the policy and practice of affirmative action and equal employment opportunity. USCS does not discriminate on the basis of race, color, religion, sex, national origin, age, handicap or veteran status in any personnel action including, but not limited to, recruitment, advertising, hiring, training, promotion, transfer, tenure, classification, compensation, leave practices, termination, and employee benefit programs. Further, USCS takes affirmative action to employ and advance in employment protected class members such as minorities,

women, handicapped individuals, disabled veterans and veterans of the Vietnam Era.

USCS prohibits the sexual harassment of students, faculty, and staff. It is the responsibility of each dean, department chair, director and supervisor to provide a work and educational environment free from sexual harassment or any other form of sex discrimination.

### **Nepotism Policy**

The employment of any person related by blood or marriage within the fourth degree shall not be permitted if such employment results in an employee supervising such a relative, or having influence over the relative's employment, promotion, salary, administration, or other related management or personnel matters. In certain emergency situations, an exception may be granted upon specific recommendation of the Vice Chancellor, the System Vice President for Personnel and the Budget and Control Board.

### **Policy Changes**

From time to time, changes in the rights, privileges, and benefits accorded to faculty members may be made as conditions warrant. Changes providing additional rights, privileges, and benefits shall apply to faculty members employed prior to the promulgation of such changes.

### **Personnel Administration**

Responsibility for academic personnel on the Spartanburg campus is delegated to the Vice Chancellor with, as appropriate, consultation with the System offices of the Executive Vice President for Academic Affairs and the System Vice President for Personnel. On the Spartanburg campus, the Personnel Office is responsible for maintaining employee records for all university employees, including academic personnel, and for supplying benefit information to all employees. For matters of policy, academic personnel are referred to the Faculty Manual, and the USC System Policies and Procedures Manual, under the sections of Executive Vice President for Academic Affairs and System Vice President for Personnel. For information on employment records



or benefits such as retirement or workers' compensation, faculty deal with the USCS Personnel Office.

### Political Activity

Full-time employment at USCS is a time-consuming responsibility. The university, therefore, does not encourage outside employment for compensation, political or nonpolitical, which does not effectively contribute to professional advancement and correlate with university work.

However, as responsible and interested citizens, faculty and staff members of the university should fulfill their civic responsibilities and should engage in the normal political processes of our society. With the consent of the President and the approval of the Board of Trustees, any faculty or staff member may seek election to hold public office provided such action does not interfere with normal duties. The candidacy must be approved in advance and prior to announcement for public office following the confirmation that there is no conflict of interest between this activity and the responsibility of the individual to the university and the State of South Carolina.

If it is determined that such candidacy and/or election is in basic conflict with the faculty or staff member's normal duties, the President may ask the employee to obtain a leave of absence without pay or to resign before announcing for the office.

### Leave

**Annual Leave.** Permanent members of the faculty on a twelve month appointment who work at least half-time accumulate annual leave at the rate of one and one-quarter calendar days per month of continuous service. After ten years of service, employees earn additional annual leave for each year in excess of ten years service, up to a maximum accrual of 30 days per calendar year. Part-time employees earn annual leave on a pro-rata basis. Annual leave may be accumulated up to 75 days, but no more than 45 days may be carried over from one calendar year to the next. All time taken for vacation, personal business, etc., must be reported and will be deducted from accrued leave.

The maximum annual leave which may be used in a calendar year is 30 days. Upon separation from employment (except retirement), employees are paid for a maximum of 45 days of unused annual leave, less any annual leave which has been used during the current calendar year. Upon retirement, employees are paid up to a maximum of 45 days unused annual leave without regard to any annual leave used during the year. The unused

annual leave is transferred when an employee transfers to another South Carolina state agency where the employee is eligible to earn annual leave.

Faculty members who change assignments from a twelve-month basis to any other basis shall use their accumulated annual leave, if possible, prior to beginning the new basis. However, when the change is made for the convenience of the university and the individual does not have the time, as certified by the Chancellor, to take the accumulated leave before beginning the new assignment, all possible leave that may be taken in the time intervening must be taken and compensation for any remaining leave may be paid to the individual.

Faculty members employed on less than a twelve month basis do not accrue annual leave.

For further information, see the Annual Leave Policy in the USC System Policies and Procedures Manual.

**Sick Leave.** Permanent faculty who work at least half-time earn sick leave at the rate of one and one-quarter days per month of active employment. Part-time faculty earn sick leave on a pro-rata basis. Sick leave may be accrued up to 195 days, but no more than 180 days may be carried over from one calendar year to the next. Faculty members who, prior to January 1, 1969, accrued and carried over unused sick leave in excess of 180 days shall be allowed to retain the excess sick leave. However, no further sick leave may be earned until the faculty member's sick leave balance has been reduced to less than 180 days, at which time 180 days of sick leave will become the new maximum carry-over for that individual. Sick leave should be deducted in work days or partial days with the understanding that a work week is normally Monday through Friday. A faculty member should report sick leave even though the or she may not be scheduled to teach a class on that particular day. Faculty members who use sick leave for some foreseeable reason, for example, for elective surgery or maternity, are asked to give two months notice, if at all possible.

Sick leave does not accrue during periods of leave without pay.

To the extent permissible, the date on which sick leave for disability is to begin shall be at the request of the employee, based on the determination and advice of a physician. In no event shall such date be prescribed unilaterally except on the basis of professional opinion that the employee is physically or mentally incapable of performing normal duties or that continuing to perform normal duties would be hazardous to the health of the employee. At the earliest possible time, an employee must submit to the appropriate division chair, assistant dean, program director, or dean a statement to the Personnel Office from his or her physician indicating the projected inclusive dates of the period of disability.

On termination of services for any reason, except transfer to another state agency, unused sick leave is forfeited. Upon transfer to another state agency, sick leave may be transferred, provided unused annual leave is also transferred. When transferring to another state agency where one is not eligible to

earn annual leave, the employee may be paid for annual leave and sick leave may be transferred.

For more detailed information, consult the Sick Leave Policy in the USC System Policies and Procedures Manual.

**Court Leave.** A permanent employee summoned as a member of a jury or subpoenaed as a witness for other than personal litigation, is granted leave with pay. For more detailed information, contact the Personnel Director.

**Military Leave.** Up to fifteen calendar days in any calendar year are granted for summer training, to permanent employees who are members of a reserve component of the Armed Forces or of the National Guard. Such duty or training should be arranged so as to be of least interference with regular duties. Whenever possible, summer training and participation in the summer session of the university should be scheduled in separate terms.

A permanent employee who enters active military service is entitled to leave without pay with reinstatement rights as provided by law, in a comparable position to that held at the time such leave was granted, provided that the employee returns to work within sixty days after release from active service. For more detailed information, contact the Personnel Director.

**Death in Family.** Permanent faculty members are allowed up to three consecutive days of leave with pay for a death in the immediate family. Immediate family is defined in the University Policies and Procedures Manual.

**Holiday Leave.** USCS recognizes the same number of paid holidays as those provided employees of other state agencies. However, the holidays are scheduled according to the academic schedule. The System Personnel Division publishes a holiday schedule approved by the President each year. For more information contact the Personnel Office.

**Leave Without Pay.** Leave of absence without pay may be granted for good cause on the recommendation of the appropriate division chair, assistant dean, program director, and dean, the Vice Chancellor, and Chancellor under circumstances wherein the best interests of the university are served. Such leave is granted for a maximum continuous period of one year, unless special permission is granted by the Chancellor and the President for an extension. If a faculty member fails to return after the period for which leave is granted, the appointment is terminated. The authorization of leave without pay is a matter of administrative discretion and may be considered in the following cases:

- (1) absence due to service in the armed forces;
- (2) extended absence in the interest of USCS, such as advanced academic training, research, or other experience which lead to increased competence and promote the interests of the university as well as the faculty member;
- (3) necessary absences for personal reasons up to a maximum period of 90 days, when such absences extend beyond available annual leave, and when



approved by the Chancellor and the President or the President's designee;

- (4) for an extended period of disability due to illness, injury or maternity which exceeds the amount of accrued sick and/or annual leave. The duration of leave without pay and paid sick or annual leave shall not exceed 180 days. In extenuating circumstances, the President or his designee may extend the period of leave up to a total of 365 days. For more detailed information, consult the USC System Policies and Procedures Manual.

Annual leave and sick leave do not occur during periods of leave without pay, but accumulated totals are not forfeited. Before beginning leave, faculty members should consult the Personnel Office for information on the continuation of retirement, insurance and other employee benefits during the period of leave.

Leave without pay does not affect tenure; however, a period of time during which a faculty member is on leave without pay is not counted toward the acquisition of tenure.

**Sabbatical Leave.** Sabbatical leaves are intended to allow full-time faculty members relief from normal duties in order to pursue significant projects designed to improve their capabilities as scholars and teachers and hence to increase their future contribution to the mission of USCS. Sabbatical leaves are designed to permit faculty members to achieve educational goals which could be reached only over an extended period of time if pursued under the demands of regular university duties. Consequently, recipients of sabbatical leave are to be separated from all university duties during the leave.

**Requirements.** To be considered for sabbatical leave, a faculty member must be a tenured associate professor or professor with six or more years of full-time service and must be eligible to serve for a reasonable period following completion of leave, under no circumstances less than one year. If the faculty member does not choose to return for whatever reason, he or she is liable to USCS for the full amount paid to him or her during the period of sabbatical leave. However, in the event of death or permanent disability due to illness or accident while on sabbatical leave, USCS will not exercise its right of repayment.

**Procedures.** Faculty members requesting sabbatical leave must demonstrate, by means of a written proposal submitted through the appropriate dean or to the Vice Chancellor, how their planned activities serve the purposes for which they are intended. All proposals must be submitted by February 1. Awards are based on seniority and merit. A written report should be submitted to the Vice Chancellor within two months after returning to the institution. A sabbatical leave provides one-half pay for a full academic year, or full pay for one-half of an academic year. Granting sabbatical leaves of absence is dependent upon budget limitations, work loads, and other consi-

derations. Therefore, it is a matter of administrative discretion.

Other Information. Before beginning sabbatical leave, faculty members should contact the Personnel Office for information on the continuation of retirement, insurance plans, and other employee benefits during the period of sabbatical leave.

Annual leave is not accrued by twelve-month faculty while they are on sabbatical leave.

## Research

While the mission of USCS is primarily undergraduate instruction, faculty members are encouraged to do research, as time and facilities permit, in order to maintain a proper knowledge of their respective disciplines.

Attention is called to the possibility of financial support by means of grants and contracts. The USCS Office of University Relations continuously monitors information from federal agencies and other sources and assists any faculty member wishing to prepare a proposal.

Grants Administration. Each research, training, or special project that is sponsored is assigned a named individual of the faculty or staff who is designated principal investigator or project director. Normally, this is the member who conceived and proposed the activity resulting in a grant or contract. The principal investigator may not be changed without the approval of the sponsor. The principal investigator or project director is responsible for administration of all direct funds allocated to the project and compliance with the terms and conditions of the grant or contract. The USCS Office of University Relations assists the principal investigator in resolving any procedural or administrative questions.

Conflict of Interest. The university has adopted the principles of the December 1964 joint statement of the ACE-AAUP entitled "On Preventing Conflicts of Interest in Government Sponsored Research at Universities." The Director of Sponsored Projects at USCS is notified of all outside consulting and research activities performed by faculty or staff members who are participating in government sponsored research or receiving federal grants. Should any conflict of interest be indicated, the individual concerned is contacted in order to clarify and/or rectify the situation. The Director of Sponsored Projects is available for advice and assistance with regard to consulting agreements or potential conflicts of interest.

University Funds. The university assigns a moderate sum each year for research purposes through the Research and Productive Scholarship Fund and the Carolina Venture Fund. Applications for support from these funds may be obtained from the Office of University Relations. The Committee for Productive Research and



Faculty Development on the USCS campus also makes recommendations on the funding of research projects. Such proposals should be submitted to the Vice Chancellor.

### Consultant Activity

For the basic policy on employment outside the university, see the preceding section on "Employment."

Laboratories, equipment and other facilities of the university generally are not available to university employees for consulting work. Patent and copying rights for approved consultant activities are matters decided between the faculty member and the outside agency. If, however, university facilities are used, an interest of the university is thereby established, and agreement as to patent and/or copyright matters should be resolved before undertaking the project. Conversely, when the university hires a consultant, specific prior arrangements should be made in the consultative agreement for protection of the university's rights.

In cases where a university employee is hiring a consultant to be paid from a university grant or contract, such consulting is subject to the funding agency's regulations imposed within the grant or contract document. Further, if the consultant to be hired is a permanent state employee, remuneration for such activities is governed by the state and university's policies on extra compensation and dual employment.

### Reduction-In-Force Policy

Reduction-in-force may become necessary because of conditions inside or outside of USCS. Federal, state or local appropriations may be reduced or cut off entirely, or the university may be allowed to use only part of its appropriation. These and other factors occurring singly or in combination may make it necessary for USCS to undergo a reduction-in-force. Depending on the cause, the reduction-in-force may be temporary or permanent. Employees are released in a positive and equitable manner. A reduction may not require any involuntary separation if it can be accomplished through transfer, reorganization, or attrition. The university administration may also find it necessary to reduce certain phases of work as work levels change or fluctuate. However, should a reduction-in-force become necessary, the procedure outlined below is adhered to.

The President of the University, acting in consultation with the Chancellor and with a faculty committee, bears the responsibility for determining the need for reduction-in-force

decisions, and upon such determination, of authorizing a plan developed through appropriate internal channels to accomplish this reduction. This plan is applicable to USCS faculty. The plan identifies the area(s) and the faculty to be included in the reduction-in-force according to the following general criteria:

(1) Area(s)

1. The importance of the area(s) to USCS  
USCS in performing its mission;
2. The impact of the area(s) upon the  
ability of the USCS to perform its  
mission;

(2) The following criteria shall apply to persons within the area:

1. Appointment status: non-tenured shall  
generally be reduced before tenured;
2. Length of service;
3. Quality of service: as determined  
by the formal evaluation process;
4. Specialization or function: as the  
need for a specific field of exper-  
tise or services of a person.

The university explains the procedures through which employees affected by a reduction-in-force are informed of all benefits. The university assists employees seeking employment elsewhere.

Upon special request the plan to accomplish the reduction is made available to any employee affected by the plan.

The Faculty Grievance Procedures for USCS specifies the time provided for notice and procedures for grieving.

### Benefits, Privileges, and Services

This policy identifies the Benefits Program available to qualifying permanent employees of the USC System and their eligible dependents. Coverage levels, rates, and other contractual provisions are subject to periodic changes; therefore, the information contained in this policy provides a brief overview of each program.

In concert with the University's policy on Affirmative Action and Equal Employment Opportunity, the benefits, privileges, and services described in this policy shall not be restricted on the basis of race, sex, age, color, religion, national origin, handicap, or veteran status.

Detailed information will be provided to all new permanent employees and updated information will be provided to all

permanent employees by the personnel office as changes occur. Employees who wish to visit the USCS Personnel Office or the System Personnel Division for assistance with their benefits shall be given reasonable time away from the job for such purposes.

### State Insurance Plans

The USC System participates fully in all insurance programs made available through the State of South Carolina for state employees. Insurance carriers which administer these plans are subject to change based on negotiated contractual agreements. Permanent employees who are scheduled to work at least 30 hours per week for at least six months in a fiscal year are eligible to enroll in any or all of these plans.

### Health Insurance

**Blue Cross/Blue Shield.** The State of South Carolina has made available a complete health insurance plan for all eligible employees, retirees, and their dependents. This self insured plan is administered by Blue Cross and Blue Shield of South Carolina and an HMO administered by Companion.

**Medi-Call.** A benefit of the State Health Plan. Medi-Call is your partner in health care. Medi-Call represents you, and is dedicated to getting the best care possible for you. Medi-Call will become mandatory for full benefits in 1990. It will become mandatory in January 1, 1990 with no "grace period." The administrator of this service is Crawford & Company Health Management Services.

**Companion.** A health maintenance organization that provides its members with comprehensive care on a prepaid basis. Unlike Blue Cross/Blue Shield with its emphasis on treatment, prepaid health care encourages prevention of illness, and the early detection of medical problems.

Employees may enroll their eligible dependents for coverage in Blue Cross/Blue Shield and Companion Health Care.

**USC Hospital Income Plan.** Eligible employees and their dependents may enroll. The plan provides a daily benefit in the event of covered hospitalization. Administered by Colonial Life Insurance Co.

**USC Cancer Plan.** Eligible employees and their dependents may enroll. The plan provides certain inpatient and outpatient benefits to help offset the cost of cancer care. Administered by Colonial Life Insurance Co.

## Life Insurance

**State Group Life Plan.** Employees who are enrolled in either the State or HMO Health Plans are automatically enrolled for \$3,000 of life insurance and accidental death and dismemberment. Eligible dependents may also be enrolled for a smaller amount of life insurance. The administrator of this plan is the S.C. Division of Insurance Services.

**State Optional Life Plan.** Eligible employees may enroll. The amount of life insurance and accidental death and dismemberment is based on the employee's base salary. The administrator is now Hartford Life Insurance Co.

**USC Group Term Life Insurance.** Permanent employees who work at least 37.5 hours per week are eligible to enroll. The amount of life insurance and accidental death and dismemberment coverage is based on the employee's salary and age. Employees may cover eligible dependents for a smaller amount of life insurance. The administrator is Prudential Life Insurance Co.

**USC Universal Life Insurance Plan.** In addition to other State and University Life Insurance Plans, eligible employees may enroll in this plan to provide higher amounts of life insurance. Eligible dependents may also be enrolled. The plan combines whole-life insurance protection and tax deferred interest accumulation at prevailing market rates. The administrator is now Colonial Life Insurance Co.

## Dental Insurance

Employees and their eligible dependents may enroll. Coverage ranges from 50 percent to 100 percent of allowable charges, depending on the category of the dental service provided. The administrator of the dental program is now GAB Business Services, Inc.

## Insurance Changes

The contracts for each individual State Plan govern when and under what circumstances employees can make coverage changes. Normally, coverage changes can be made only during the designated open enrollment period or within 31 days of a qualified change in family status; however, employees who do not participate in the Flexible Benefits Plan may delete or decrease health or life insurance coverage at any time. Qualified change in family status is defined as death, marriage, divorce or legal separation, birth, adoption or legal guardianship of a first

child, or the gain or loss of coverage by an eligible dependent under another group plan.

### Termination of Coverage

Coverage in any of the State Insurance Plans is terminated at the end of the month in which an employee leaves state employment, except that for nine-month academic employees who separate at the end of an academic year, coverage is terminated on the following August 31st.

Under the Federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and/or their eligible dependents who lose coverage under certain qualifying conditions may buy extended coverage for group health and/or dental insurance through the state. Detailed information concerning COBRA extensions and conversion options may be obtained from the System Personnel Division or from the USCS Personnel Office.

## The South Carolina Retirement Systems and Optional Retirement Program

### Membership

All permanent USC System employees and all employees who are currently members of the South Carolina Retirement System are required by state law to participate in the South Carolina Retirement System except that faculty and unclassified administrative staff hired on or after July 1, 1987 may elect to participate in the Optional Retirement Program.

### Contributions

The South Carolina Retirement Act sets the amount which must be contributed by both the employee and the employer, depending on the particular system in which the employee participates. Retirement contributions made after July 1, 1982 are exempt from Federal Taxes until the money is withdrawn.

Members of the South Carolina Retirement System and Optional Retirement Program contribute 6 percent of their gross earnings. See the section on "Vesting," below, for employer contribution rates for Optional Retirement Program participants.

Approved 1989



South Carolina Retirement System

1. Group Life Insurance Benefit and Survivor Options. Upon the death of a contributing members who has completed at least 12 months of membership under the South Carolina Retirement System, payment is made to the beneficiary in the amount of the employee's annual budgeted salary at the time of death. In addition, a refund will be made to the beneficiary in the amount of the employee's contribution, plus accumulated interest.

If the deceased member had at least 15 years of credited service, the beneficiary may choose to receive the refund of contributions in the form of a lifetime annuity.

2. Disability Retirement. A member who becomes disabled after completing five years of creditable service with the South Carolina Retirement System may apply for disability retirement. If approved, retirement benefits are calculated similarly to those which would be applicable at age 65 for members of the South Carolina Retirement System.
3. Vesting. A member of the South Carolina Retirement System who has five years of credited service is vested. Upon separation from state service, a vested member may choose to leave contributions with the Retirement System and qualify for a deferred retirement benefit upon attaining age 60 for members of the South Carolina Retirement System.
4. Refund of Contributions. Members of the South Carolina Retirement System who leaves state employment prior to retirement may withdraw the sum of their contributions plus the accumulated interest. A minimum of 90 days from the date of separation is required before the refund may be made.
5. Eligibility for Retirement.

South Carolina Retirement System. A member may retire and apply for full formula benefits at age 65 or with 30 years of credited service. Members who do not have 30 years of creditable service may apply for reduced benefits at age 60. The State of South Carolina guarantees a formula benefit based on

an average of the employee's 12 highest consecutive calendar quarters earnings and the years of creditable service.

#### **Optional Retirement Program (ORP)**

**Mutual of America**  
**TIAA-CREF**  
**VALIC**

Faculty and unclassified administrative staff hired on or after July 1, 1987 may choose to participate in one of the qualified 401-A Tax-Deferred Annuity Plans through one of the above ORP carriers authorized by the South Carolina Retirement System.

The University is required by state law to contribute the same amount as for members of the South Carolina Retirement System; however, an amount equal to 3.74 percent of the member's gross income, plus the employee's contributions is remitted to the designated carrier to be invested in the member's account. Investment choices, the amount of interest earned, withdrawal options and retirement options are governed by the individual annuity contracts. Retirement, death and disability benefits are based on the cash value of the member's account.

#### **Disability Insurance**

**State Long-Term Disability Plan.** Employees who enroll in either of the State Health Plans or HMO plan are automatically covered for long-term disability insurance. After a 90 day waiting period, the plan provides a monthly benefit for periods of approved disability. The amount of the monthly benefit is based on a percentage of the employee's monthly salary, offset by benefits received from the South Carolina Retirement System, Social Security, or Worker's Compensation. There is a maximum amount which can be received. Administered by S.C. Retirement System.

**USC Disability Income Plan.** Permanent employees may supplement the long-term disability benefits provided under the State disability insurance. The amount of coverage available is based on the employee's salary. Administered by Pilot Life Insurance Co.

**State Long-Term Care Plan.** Eligible employees and their spouses may enroll. The parents of sponsoring employees and spouse may also be enrolled. Under qualifying circumstances, the

## **Employment, Benefits, Retirement**

plan provides a daily benefit for long-term custodial care. Administered by AETNA Life Insurance Co.

### **Flexible Benefits Plan:**

Sometimes this plan is referred to as MoneyPlus. MoneyPlus is an IRS approved benefits program that lets you make nontaxable payments for dependent day care and group premiums. Pretax deductions are taken out of your gross pay. The amount remaining in your paycheck is used to calculate your taxes to be withheld. The amount remaining is your take-home pay for that pay period. Reduced taxes mean your take-home pay could be greater than before. Your tax reduction is permanent. By using the Flexible Benefits Plan, you do not ever pay taxes on the group premiums or day care plan. The group premiums are:

The SC Group Health Plan A & B  
HMO's approved by The South Carolina Retirement System  
The South Carolina Group Dental Plan  
The South Carolina Group Long-Term Care Plan (for employee and spouse)

The administrator of this plan is Hunt, Dupree, Rhine & Associates.

### **Tax Deferred Annuities, Deferred Compensation, and 401-K Plans**

A number of tax-deferred annuity plans are available in which employees may participate through the University's Payroll System. These plans allow employees to designate part of their salaries to be invested in a plan which is not currently subject to taxes. These plans are designed to supplement the retirement plan. Additional information is available in the USCS Personnel Office and in the System Personnel Division.

### **Social Security**

The University participates in the Federal Program of Old Age and Survivor Benefits (FICA). Participation is required of all employees. This statutory deduction is met with a matching contribution by the University.

## Additional Benefits

### Unemployment Compensation

Unemployment Compensation is a program mandated by the Social Security Act of 1936, designed to provide financial assistance for individuals who are out of work through no fault of their own, but who are otherwise available for full-time employment. The program is governed by Federal and State guidelines, and is founded entirely by employer contributions. For additional information, contact the South Carolina Employment Security Commission, Unemployment Compensation Division.

### Savings Bonds

United States Savings Bonds are available through Payroll Deduction. Interested employees should contact the USCS Personnel Office or the Benefits Office of the System Personnel Division for further information.

### USC System Credit Union

For the benefit of its employees, the University has established a Credit Union to provide a savings and loan system in which permanent employees and their relatives may participate. A wide range of banking services is available. Interested employees should contact the Credit Union or the USCS Personnel Office.

### Distinguished Professor and Emeritus Titles

The title of Distinguished Professor is awarded to tenured members of the university faculty in their final year of service at USCS who have earned the rank of full professor. Upon retirement, this title changes to that of Distinguished Professor Emeritus.

The title of Emeritus Professor is normally conferred on any tenured member of the instructional staff who at the time of retirement holds the title of assistant or associate professor. A citation is presented to each Emeritus recipient at the spring commencement and every effort is made to provide office space, parking privileges, and the like.

Approved 1989





## APPOINTMENT AND SELECTION PROCEDURES

### Appointments to the Faculty

#### Appointment Procedures

When a vacancy exists, it is the duty of the appropriate dean to identify candidates and assemble the necessary information for an appointment decision. All vacancies are advertised in accord with affirmative action regulations. The following procedures must be followed in the case of all tenure track positions.

A search committee of four faculty from within the school or division in which the vacancy has occurred and an additional faculty member from outside the school or division is appointed by the appropriate dean. The search committee reviews letters of application, vitae, transcripts, and three letters of recommendation for all candidates. After the committee contacts the references of the most promising candidates, the appropriate dean consults with the Vice Chancellor, and the committee arranges interviews. The search committee makes every effort to insure that each faculty member within the school or division has the opportunity to meet each candidate invited for an interview. Faculty are invited to submit written comments and evaluations on each candidate they meet.

After interviews have taken place and candidates selections have been made with consultation of the school faculty, the committee votes upon recommendations. The chair of the committee forwards the recommendations to the dean ranking the candidates in order of the committee's preference. Approval to make an offer must be obtained by the dean from the Vice Chancellor and the Chancellor. If approval for the offer is granted, the letter of appointment is forwarded to the candidate. Should the candidate reject the offer, all documents are retained for file by the appropriate dean.

#### Procedure for Selection of Deans

The selection of a dean and the evaluation of performance in that office are matters requiring the joint consideration of the faculty and administration. The following are general policies defining the position of dean and the appropriate procedures for faculty participation in the appointment and reappointment of deans.

## Procedure for Selection

When a vacancy occurs in the position of dean, the Vice Chancellor informs the faculty of the school in writing and invites the faculty to elect up to three persons to serve on a search committee.

Participation in the selection of a dean is restricted to full-time faculty members at the instructor level or above who have not been officially notified of non-reappointment or final unfavorable decisions on tenure. Full-time lecturers may be eligible to participate if such participation is recommended by the majority of the school faculty eligible to vote and is approved by the Vice Chancellor.

The Vice Chancellor appoints up to two additional persons at least one of whom is a member of the faculty of another school or a librarian. The Vice Chancellor selects a chair for the committee from among the elected or appointed members.

The Vice Chancellor, in consultation with the faculty committee members and the Chancellor, may determine that community representation on the search committee is in the best interest of the school and the university. Community members are selected by the Chancellor in consultation with the Vice Chancellor and the faculty committee members.

Comprehensive searches are used for new deans unless special circumstances exist. The usual case includes both internal and external candidates. The Vice Chancellor, in consultation with the Chancellor and the faculty of the school, determines before the search committee is formed whether the special circumstances exist which would limit the search to present faculty members of the university. The search always complies with the university's affirmative action policy.

## Standard Search

The search committee places a notice of vacancy in the appropriate professional journal or personnel newsletters and in one general publication, such as the "Chronicle of Higher Education."

The search committee collects letters of application, vitae, transcripts, and three letters of recommendation from promising candidates. After contacting the references of the most promising candidates, the committee consults with the Vice Chancellor, and the committee arranges interviews. The number of external candidates exceeds four only with the specific approval of the Vice Chancellor. The search committee makes every effort to insure that each faculty member within the school has the opportunity to meet each candidate invited for an interview. Faculty are invited to submit written comments and evaluations on each candidate they meet.

The search committee ranks acceptable candidates in order of preference. The committee forwards the names of the acceptable candidates along with all supporting materials to the Vice Chancellor. The committee is urged to submit at least four names and in no case less than two.

The Vice Chancellor recommends an appointment and forwards all materials to the Chancellor. The Chancellor either approves the appointment or asks the search committee to submit additional names.

The appointment of a dean is subject to confirmation by the President.

### Internal Search

If a decision is made to limit the search to persons already on the faculty, the committee invites nominations, collects relevant information and makes it available to the faculty.

The selection procedures described above, with the single exception of placing notices in off-campus publications, are followed in the case of internal searches.

### Term of Appointment

The term of appointment for a dean is five years. After completing an initial term, reappointment for additional terms may be made by the Vice Chancellor in consultation with the faculty of that school. Consultation with the faculty of the school will include a poll of faculty by the Vice Chancellor "recommend" or "not recommend" reappointment. Usually a dean will not be reappointed beyond a second term.

The appointment of a dean may be terminated by the Vice Chancellor with the approval of the Chancellor and the President.

### Procedure for Selection of Division Chairs, Assistant Deans, and Program Directors

The selection of a division chair, assistant dean, or program director and evaluation of performance in that office are matters requiring the joint consideration of the faculty and administration.

## Procedure for Selection: Internal and External Search

When a vacancy occurs in the position of the division chair assistant dean, or program director, the dean of the school informs the faculty of the school or division in writing and invites the faculty to elect up to three persons to serve on a search committee.

Participation in the selection of a division chair, assistant dean, or program director is restricted to regular, full-time faculty members holding continuing appointments above the instructor level who have not been officially notified of non-reappointment or of a final, unfavorable decision on tenure. Instructors may be eligible to participate if such participation is recommended by the majority of the school or division faculty eligible to vote and is approved by the dean.

The dean appoints up to two additional persons from the school or division. The committee elects its own chair. The search committee collects letters of application, vitae, transcripts, and three letters of recommendation for all candidates. After contacting the references of the most promising candidates, the committee consults with the dean, and the committee arranges interviews. The search committee makes every effort to insure that each faculty member within the school or division has the opportunity to meet each candidate invited for an interview. Faculty are invited to submit written comments and evaluations on each candidate they meet. The number of external candidates exceeds four only with specific approval of the Vice Chancellor.

When the interviews are completed, the search committee sends a ballot containing the names of all remaining candidates to all voting members of the faculty of the school.

Faculty rate each candidate as acceptable or unacceptable and rank acceptable candidates in order of preference. If two or more candidates are acceptable to a majority of the participating faculty, the committee forwards their names, along with all supporting materials to the dean. If there are not at least two acceptable candidates, the dean has the option of requesting a full report or instructing the committee to resume the search.

The dean appoints a division chair, assistant dean, or program director and forwards all materials to the Vice Chancellor through appropriate administrative channels. The Vice Chancellor either approves the appointment or asks the dean to request the search committee to submit additional names.

## Term of Appointment

The term of appointment for a division chair, assistant dean, or program director is three years. After completing an

initial term, reappointments for additional terms made be made by the dean in consultation with the Vice Chancellor and the faculty of that school or division. Normally, assistant deans, division chairs, and program directors will not be appointed for more than two terms. Consultation with the faculty of the school or division will include a poll by the faculty to "recommend" or "not recommend" reappointment. The poll will be conducted by the Office of the Dean. In the case of reappointment, the decision will be accompanied by the rationale for reappointment. Reappointment beyond the first term is restricted to the cases where it is clearly in the school's and university's best interest.

The appointment of a division chair, assistant dean, or program director may be terminated at any time by the dean with the approval of the Vice Chancellor.





## REVIEW PROCEDURES

### Procedures for Both Administrative Annual Review and Faculty Peer Review

#### Objectives of Review

The most important objective of the annual review process is to provide a basis for professional improvement and development. In addition, the annual review process is intended to provide a basis for identifying ways in which USCS can support faculty members in professional growth and development. Finally, the annual review is used to provide a basis for faculty and administrative decisions on merit salary, promotion, retention, and tenure.

#### Criteria for Review of Teaching Faculty

In all schools and divisions the basis for administrative annual review and for faculty peer review are the promotion and tenure criteria of (1) teaching effectiveness, (2) university service, community service, or service to the profession, and (3) scholarship, creativity, or research. Teaching effectiveness is to receive the major emphasis in all schools and divisions. All faculty are expected to reach and maintain a high level of teaching effectiveness. Faculty members are expected to make a significant contribution in one of the two remaining areas. Individual differences and strengths in meeting other criteria are to be recognized and encouraged.

Student opinion surveys are required documentation for the reviews in all schools and divisions. Each faculty member may develop additional methods of documentation.

The annual review and peer review evaluation form is the same for all schools and divisions. The form includes definitions of evaluation terms.

## Review Files

The review files of the faculty members being reviewed are kept in in each school secretary's office and are to be read in a private area in that school or division. Following completion of peer review, it is the responsibility of each faculty member being considered for promotion and/or tenure, to place his/her file with the Promotion and Tenure Committee.

## Administrative Annual Review of Faculty

### Faculty to be Reviewed

Faculty members who are in their first two years at USCS are be evaluated semi-annually by the rating administrator. For faculty completing their first year of teaching, the review, including the interview, must be completed by March 1. For remaining faculty, the review, including the interview, must be completed by March 31.

Faculty members are responsible for establishing and maintaining a current performance file for use in the review process. All such files created for the annual review process are mutually exclusive from other personnel files.

### Responsibilities of the Dean in Annual Review

The dean provides each faculty member a copy of the annual review objectives, criteria, procedures, and forms. The procedures are the following.

In schools with more than one academic unit, the dean requests that each division chair or program director provide recommendations for faculty annual evaluations. Before consulting with the dean, the appropriate division chair or program director meets with each faculty member to discuss a recommendation to the dean on annual review. The recommendation is provided for the dean's use on a copy of the annual review form; it is signed by the faculty member (signatures do not necessarily mean agreement with the recommendation). The division chair or program director forwards the recommendation to the dean. After the dean has received the recommendation, the dean will meet with the division chair or program director to discuss the recommendation.

The dean requests faculty members to schedule an annual review interview. At the interview (or at additional meetings before the end of the year), the dean and the faculty member

discuss past performance, establish future goals, and consider the ways in which USCS may help to contribute to improved performance and meeting future goals. At the conclusion of this meeting, the dean and the faculty member sign the completed evaluation form to show that a review has occurred. The dean provides the faculty member with a copy of the evaluation.

Within two weeks of the interview, a faculty member may request from the dean a written explanation of the evaluation. This explanation must be provided within two weeks from the time the request is received. The faculty member may write a response to the review and to the dean's explanation of the review within two weeks after receiving the explanation. All responses are signed by both parties to indicate that they have seen the responses. The reviewer's signature does not necessarily imply that the reviewer agrees with the response. The dean's explanation and the faculty member's response are forwarded along with the dean's evaluation to the Vice Chancellor.

If the Vice Chancellor or Chancellor disagrees with the dean's evaluation, the Vice Chancellor or Chancellor must inform the dean and the faculty member in a letter. The letter explains the rationale for the disagreement.

#### Appeal of Administrative Annual Review

If disagreement between the faculty member and the rating administrator over the annual review cannot be resolved, the faculty member may request a review from the peer review committee of the school or division. At its option, the peer review committee may forward, without comment or prejudice, any appeal to the Promotion and Tenure Committee. In this case, the evaluation of the peer review committee or Promotion and Tenure Committee is forwarded by the committee chair to the Office of the Vice Chancellor. Within ten working days, the Vice Chancellor, on the basis of the information submitted, will make a determination of the annual review. Copies of the Vice Chancellor's review are forwarded to the faculty member, to the administrator in question, and to the chair of the peer review committee.

In the case of an appeal of annual review to the faculty peer review committee or, if the appeal is forwarded, Promotion and Tenure Committee, a faculty member may not ask the Grievance Committee to substitute its judgment for the qualitative professional judgment of the peer review committee or the Promotion and Tenure Committee which has already reached a decision on the matter in question. The Grievance Committee has authority only to review the process leading to the action or decision in question. Its function in this case is limited to determining whether procedural due process was followed, whether academic freedom was respected, and whether or not discriminatory,

arbitrary, or unreasonable practices contributed to the decision in question.

Faculty who are members of the peer review committee and who are making an appeal to the committee, must resign from the committee. Faculty of the school or division elect a replacement.

#### Publication of Annual Review Rankings

The Office of the Vice Chancellor publishes for each school and division and for the university as a whole a distribution of all administrative rankings. This distribution is to be distributed to all faculty and all administrators with faculty supervisory responsibilities by the end of the spring semester. The distribution may be used by the Promotion and Tenure Committee in its deliberations on requests for promotion and/or tenure.

#### Faculty Peer Review

##### Faculty to be Reviewed

All faculty normally teaching six semester hours or more are reviewed by their peers at least every five years. In addition, faculty teaching fewer than six hours each semester are subject to review if being considered for promotion and/or tenure. Those evaluated include all teaching associates, instructors, lecturers, and tenurable faculty. The list of faculty to be reviewed within each school or division should be kept in each dean's office where it is available to the faculty.

Faculty in the first two years of employment at USCS are reviewed during each of their first two years of employment. Evaluations for first and second year faculty are completed prior to employment decision deadlines. For faculty completing their first year of teaching, the review must be completed by February 20 (June 8 for a second semester appointment); for faculty completing their second year of teaching, the review must be completed by November 23 (March 23 for a second semester appointment). For faculty undergoing the mandatory five year review, the review must be completed by March 9.

Faculty members being considered for promotion and/or tenure are evaluated during the fall semester of that year at a time appropriate to meet Promotion and Tenure Committee deadlines. Other faculty members are evaluated early during the second semester of their evaluation year.



Any faculty member may request an evaluation by the peer review committee during any semester.

### Membership of the Peer Review Committee

A peer review committee with five members at least three of whom are tenured is elected by each school or division. If a school or division has fewer than three tenured faculty members available for service on the committee, the faculty may elect untenured faculty or substitute tenured faculty members from another voting unit. When a sufficient number of eligible faculty are available in any school or division, only tenured faculty members from the school or division serve on the peer review committee. Committee members are to be elected during the first school or division faculty meeting in the fall. To insure continuity, at least one committee member should carry over from the previous year's committee. The chair is a tenured committee member selected by the committee.

Faculty members who are (1) in their first two years of employment at USCS, (2) seeking promotion and/or tenure, or (3) requesting peer review, (4) serving on the Promotion and Tenure Committee, or (5) administrators responsible for conducting reviews within a school or division are not eligible to serve on the peer review committee.

### Responsibilities of Peer Review Committee Members

Each committee member reviews the annual review file of each faculty member being reviewed and completes an evaluation form for each individual. These separate reviews are not to be signed.

For candidates being considered for promotion and/or tenure, the peer review committee makes a specific recommendation on promotion and/or tenure which is added to the candidate's promotion and tenure file.

It is suggested that committee members provide written comments concerning each section of the review form to support their evaluation.

Each committee member is responsible for keeping confidential the contents of the annual review files, individual evaluations, and the summary review sheets.

Approved 07/23/88

Revised 09/16/88

## Responsibilities of the Peer Review Committee Chair

The chair informs faculty members to be considered for promotion and tenure of the peer review deadlines and the guidelines for file preparation. These guidelines are the same as those required for promotion and tenure file preparation.

The chair informs all other faculty seeking review by the peer review committee of committee deadlines at least 30 days prior to the deadline for submitting annual review files.

The chair indicates to the committee members the names of faculty to be reviewed and also distributes the calendar, directions pertaining to the review, and the appropriate review forms to the committee members prior to the review procedure.

Only the chair, acting on behalf of the committee, may request additional information from the faculty member being evaluated.

The chair, in conjunction with the committee, edits a summary review for each faculty member being evaluated. A tally of the number of individual letter evaluations should be recorded on the final summary review sheet.

The chair is responsible for seeing that the summary review is signed and dated by each member of the committee, thus indicating that each member has seen the summarized comments. If disagreement arises over the summarized comments, the chair is responsible for rewriting the summary until agreement is reached or for enclosing each individual's written comments as the summary statement.

The chair is responsible for sending the summary review sheet to (1) each faculty member reviewed, (2) the Promotion and Tenure Committee for faculty members being considered for promotion and/or tenure, and (3) the faculty member's immediate supervisor, dean, and Vice Chancellor for Academic Affairs. Both the individual review sheets and the summary review sheet are sent to the Office of the Vice Chancellor for Academic Affairs. Both the individual review sheets and the summary review sheet are confidential. Only the summary sheets are accessible to the faculty member reviewed, the Promotion and Tenure Committee for faculty being considered for promotion and/or tenure and the faculty member's immediate supervisors, dean and the Vice Chancellor for Academic Affairs.

## Appeal of Peer Review Committee Evaluation

Faculty members may write a response to the summary review within two weeks after receiving the summary. The response must be signed by the chair to acknowledge receipt and distributed to all other committee members. The chair of the peer review committee must forward within five working days all responses to the peer review committee's evaluation through appropriate administrative channels.

## PROMOTION AND TENURE REGULATIONS

(Document approved 7-23-88, revised 9-29-89, revised 11-29-94, approved 9-25-96 by Board of Trustees)

### Promotion and Tenure Committee

**Duties.** The Committee establishes criteria for promotion and tenure and sets procedures for the implementation of promotion and tenure policies, subject to approval by the faculty and all appropriate administrative channels. The Committee, in accordance with approved criteria and procedures, makes recommendations to the Chancellor regarding the granting of promotion and tenure.

**Membership.** The Promotion and Tenure Committee consists of nine faculty members, six elected and three appointed. Terms are for three years, with two members elected and one appointed each year. Only tenured associate professors/librarians and professors/librarians<sup>1</sup> who have taught at USCS for one year or more are eligible to serve on the promotion and tenure committee. Each voting unit is represented as long as at least two faculty members from that unit are eligible to serve; if at least two faculty members from a unit are not eligible to serve, the requirement that the voting unit be represented on the Committee is waived until two or more faculty members are eligible. If the position is an elected one, it is filled by an election by the general faculty; if the position is an appointed one, it is filled by appointment by the Chancellor. No more than two faculty members from the same voting unit may serve on the Committee at the same time. Elections of members of the Committee are held at the general faculty meeting in the spring, with nominations from the floor.

Elected Committee members who find it necessary to resign shall be replaced by election at a called faculty meeting. Appointed Committee members who find it necessary to resign shall be replaced by appointment by the Chancellor.

**Tenure Criteria.** Faculty are responsible for insuring that their files are current with respect to evidence needed to support promotion and tenure recommendations.

### Definitions for Teaching Faculty.

**Teaching Effectiveness.** Effective teaching has many manifestations. It comprises classroom instruction and a broad range of faculty-student relationships. Individual attributes may vary, and the extent to which individuals exhibit an attribute may differ, but the following traits are those which are commonly valued in a teacher: command of subject matter; familiarity with advances in one's field; organization and presentation of material in a forceful and logical manner through the use of a variety of

methods; active involvement of students in the learning process; capacity to awaken in students an awareness of the general objectives of one's discipline; ability to make one's discipline relevant to the students' lives and values; ability to guide advanced students to creative work; maintenance of a high standard of achievement among students and fairness and good judgment in grading students' performance.

The extent and skill of a faculty member's participation in the general guidance and advising of students and his or her contributions to student welfare are of importance in appraising a teacher's value to the university. A teacher's ability to communicate effectively with students is valued.

**Service.** Faculty members are responsible for contributing to the processes which enable the university to implement its mission. Since the faculty plays an important role in the formulation of university policies, recognition is given to faculty members who participate effectively in faculty governance and the development of institutional procedures, whether assigned or assumed voluntarily. Service by faculty to larger communities, local, state, national, and international, is valued. Public service which leads to the advancement of a profession is considered worthy of recognition. Distinctions must be made between routine performances and high-level contributions to collegial endeavors. Additional remuneration for this kind of service shall not lessen the worth of such contribution in evaluating a candidate's performance.

**Scholarship and Creativity.** Demonstrated professional distinction is recognized as a criterion for promotion and tenure. Faculty members are expected to provide evidence of scholarly achievement. Such evidence varies depending upon the talents and interests of individuals and their particular fields of study. In any endeavor, the quality of the work is more important than the quantity. Each of the following is valued according to the contribution to the field: application of knowledge in one's academic field of interest to special projects, publication of scholarly books, textbooks, articles in scholarly referred journals, other publications, professional reports and reviews, and participation in projects of scholarly interest. Applied research and consultation for business, industry, government, education, and service agencies are recognized as avenues of professional development and creativity and are important aspects of scholarship in the university's service to the community. Additional remuneration for this kind of work shall not lessen the worth of such contribution in evaluating a candidate's performance.

In certain fields such as art, music, and literature, distinguished creativity and performance receive consideration equivalent to distinction attained in research and other scholarly endeavors. Creative activities often receive public recognition as reflected in professional awards, the assignment of special tasks and commissions, the acceptance of the faculty member's work in permanent collections, publication in leading professional



journals or multiple publications of a significant article, invitations to participate in juried exhibits, and any other public honor. Additional remuneration for this kind of work shall not lessen the worth of such contribution in evaluating a candidate's performance.

### **Definitions for Library Faculty.**

**Effectiveness as a Librarian.** Librarians are involved in the educational mission of the university in a variety of ways, and manifestations of effectiveness depend upon a librarian's specific responsibilities. The following traits are those commonly valued in a librarian: command of the principles of librarianship; familiarity with advances in librarianship and the ability to serve users by anticipating and contributing to their needs through collection development and by improving systems of organization or retrieval of information; the ability to communicate effectively with members of the academic community; the ability to develop cooperation between area libraries and to expand sources of available information; the ability to contribute to effective administrative coordination of library activities by developing library policies and procedures. Administrative evaluations, the opinions of library colleagues, and the opinions of library users may be used as evidence of effectiveness as a librarian.

**Service.** The definition of service used for teaching faculty is also applicable to librarians.

**Scholarship and Creativity.** Demonstrated professional distinction is recognized as a criterion for promotion and tenure. Librarians are responsible for facilitating the work of others, and for this reason, significant contributions to the research or scholarly work of others is valued. Participation in scholarly projects that result in better organization of information or access to information is equally important. Expanding the organization of information on a national, state, or local level is one significant method of contribution, as is helping individual scholars by providing bibliographic knowledge. Publication of scholarly books or journal articles, presentations at professional meetings or workshops, applications for grants to further scholarly activity, and service as a consultant are also valued.

Librarians may also demonstrate librarianship by taking courses outside their discipline or by taking advanced courses in librarianship as well as by participating in creative activities such as preparation of exhibits.

**Criteria for Ranks.** Faculty members hired into the tenure track after July 1, 1996, will be responsible within their probationary period for meeting the unit tenure and promotion criteria and University standards in effect at the time of their hiring. Subsequent to the probationary period, these faculty members will be responsible for meeting unit



criteria and University standards in effect at the time of their application for that promotion.<sup>2</sup>

As a general policy, the qualifications for appointment and promotion are not intended as justification for automatic promotion. Conversely, justified exceptions to the qualifications for appointment and promotion may be made if warranted.

### **Definition of Terms.**

**More Than Satisfactory.** Persons considered to be more than satisfactory exceed the normal requirements of their position; the quality of their performance is such to make it worthy of special note. Their level of performance indicates extra thought, time, effort, and imagination; they make important contributions to the School or University, producing results of unusual competence or excellence.

**Satisfactory.** The category of satisfactory is reserved for persons whose accomplishments clearly meet the requirements of their position; continued performance at this level would be perfectly acceptable. Their accomplishment reflects a good level of performance; their work contributes to the School or University.

**Less than Satisfactory.** Less than satisfactory is applied to those persons whose accomplishments are clearly below acceptable expectations; their performance is clearly unsatisfactory. Continued performance at this level would severely handicap others. Continued performance at this level would require a determination as to whether persons evaluated in this category should continue in their positions.

### **Criteria for Promotion and Appointment of Teaching Faculty.**

**To be eligible for the rank of professor,** faculty members must have a record of more than satisfactory teaching and must also have made satisfactory contributions to both service and scholarship and creativity. Faculty are expected to hold the earned doctor's degree and to have a minimum of nine years of relevant experience.

**To be eligible for the rank of associate professor,** faculty members must have a record of satisfactory performance in teaching and in either service or scholarship and creativity. Faculty are normally expected to hold the earned doctor's degree and to have a minimum of five years of relevant experience.

**To be eligible for the rank of assistant professor,** faculty members must possess strong potential for academic development. Normally, faculty are expected either to hold

an earned doctor's degree or other appropriate degree (as in certain of the performing or creative arts).

The normal educational requirements for each rank may be waived in cases where individuals have (a) made extraordinary contributions in teaching, service, or scholarship and creativity or (b) in disciplines where the earned doctorate is not commonly required for undergraduate teaching.

The Promotion and Tenure Committee will publish general guidelines for further criteria and will publish procedures for the operation of promotion and tenure policies; these criteria and procedures will be approved by the Faculty and the Chancellor. The tenured members of each voting unit will formulate specific criteria for promotion and tenure; these criteria will be approved by the Promotion and Tenure Committee. The Peer Review Committee will include in their recommendation an explicit statement as to the sufficiency of both service and scholarship and creativity for promotion to professor.

#### **Criteria for Promotion and Appointment of Library Faculty.**

**To be eligible for the rank of librarian**, a faculty member (1) must have a record of more than satisfactory effectiveness as a librarian and must also have made more than satisfactory contributions in either service or scholarship and creativity or (2) must have a record of more than satisfactory effectiveness as a librarian and must also have made satisfactory contributions to both service and to scholarship and creativity. The faculty member is expected to have at least an earned master's degree in library science and a second master's in another field or a specialist degree and a minimum of nine years of library experience at the assistant librarian level or above.

**To be eligible for the rank of associate librarian**, a faculty member must have demonstrated a more than satisfactory degree of effectiveness as a librarian and have a record of satisfactory in either service or scholarship and creativity. The faculty member is expected to have at least an earned master's degree in library science and have a minimum of five years of library experience at the assistant librarian level.

**To be eligible for the rank of assistant librarian**, a faculty member must have a minimum of five years of relevant experience including at least two years of experience as a library faculty member and must possess strong potential for development. The faculty member is expected to have an earned master's degree in library science.

Library faculty not meeting these criteria are eligible for the rank of instructor. Additional advanced degrees will be looked on favorably for promotion consideration.

The normal educational requirements for each rank may be waived in cases where a person has made an extraordinary contribution as a librarian.

### **Tenure Regulations.**

**Regulations for Teaching Faculty.** USCS generally adheres to the standards of the American Association of University Professors regarding the rights, privileges, and benefits accorded faculty members; where university policies differ from those standards, the regulations stated herein, or as subsequently modified by the university, apply.

To promote its welfare, the university in general extends the opportunity for full-time tenure-track faculty members to become tenured. To offer the opportunity to become tenured, the university adheres to the following regulations:

**New Faculty.** Faculty are notified of their tenure status in their letter of appointment. New members of the faculty are informed of the tenure regulations applicable on the effective date of their appointments. Changes in tenure regulations are not applied retroactively if disadvantageous to the faculty member. Faculty members who acquire tenure are notified in writing at the time.

**Probationary Period.** The maximum probationary period for all full-time faculty members appointed at the rank of professor is continuous service at the rank for six years at USCS. The maximum probationary period for all full-time faculty members appointed at the rank of associate professor is continuous service at the rank for six years at USCS. The maximum probationary period for all full-time faculty members with the rank of assistant professor is continuous service in the rank for seven years at USCS. The maximum probationary period at any combination of ranks is the probationary period of the faculty member's first tenure track appointment at USCS.

For the purposes of consideration for promotion and/or tenure, each year of a first semester appointment is taken to begin with the scheduled fall term, and each year of a second semester appointment is taken to begin with the previous fall term. A summer appointment is taken to begin with the subsequent fall term.

## *Promotion and Tenure Regulations*

---

A decision is made as to the status of any tenure-eligible faculty member by the following times:

Rank	Probationary Period	Decision Date
Full Professor/ Librarian:	6 years	end of 5th year
Associate Professor/Librarian:	6 years	end of 5th year
Assistant Professor/Librarian:	7 years	end of 6th year

**Award of Tenure at Time of Appointment.** It is contrary to university policy to award tenure at the time of appointment unless such an award can be demonstrated to be in the university's interest. Permission to negotiate with respect to the award of tenure to associate or full professors must be secured in advance through appropriate channels from the Chancellor's Office to the President. When permission has been granted to consider the award of tenure to a specific person, the Promotion and Tenure Committee votes on the award of tenure by secret ballot and the tally of the votes as well as any written comments by members of the committee are forwarded as part of the Vice Chancellor for Academic Affairs recommendation concerning the appointment.

Final action in any award of tenure requires approval of the Board of Trustees.

**Not Eligible for Tenure.** Only full-time faculty members holding the rank of assistant professor/librarian, associate professor/librarian, and professor/librarian are eligible for tenure. Appointments to all other faculty ranks are on an annual basis and service under such appointments is not considered part of a probationary period for tenure consideration.

**Non-renewal.** If, during the first year of a probationary appointment, it is deemed in the best interest of the university not to renew the appointment, notice of such non-renewal is given in writing by March 1 (July 1 for a second semester appointment).

If, during the second year of a probationary appointment, it is deemed in the best interest of the university not to renew the appointment at the end of the second year, notice of such non-renewal is given in writing by December 15 (April 15 for a second semester appointment).



Thereafter, notice in writing of the non-renewal of any appointment to which the provisions of this section apply is given at least twelve months prior to the date of non-renewal.

If notice of non-renewal is not given in writing by the beginning of the sixth year of the maximum probationary period in the case of professors/librarians, by the beginning of the sixth year of the maximum probationary period for associate professor/librarians, or by the beginning of the seventh year of the maximum probationary period in the case of assistant professors/librarians, then the appointment of the faculty member is a continuous, or tenured, appointment.

**Regulations for Library Faculty.** The tenure regulations established for other faculty members also apply to library faculty members. The maximum probationary period for a library faculty member is seven years of service at the rank of assistant librarian or six years of service in the case of any rank above assistant librarian.

**Regulations for Administrators.** No administrator acquires a permanent appointment in administrative office. Relinquishing administrative office does not affect faculty rank or tenure. The tenure status of a member of the faculty appointed to an administrative position is not affected adversely by such an appointment.

The period of time spent in an administrative position by a tenure track person teaching one-quarter or less of the course load of full-time faculty is not counted as service in the probationary period. A non-tenured individual holding an administrative position may acquire tenure only in exceptional circumstances and only upon recommendation through the appropriate channels.

3

## **Promotion and Tenure Procedures.**

### **I. ELIGIBILITY FOR PROMOTION and/or TENURE**

Each year all non-tenured tenure-track faculty may be considered for tenure, and all tenure track faculty members below the rank of professor may be considered for promotion.



## II. FILE PREPARATION PROCEDURES

### A. NOTIFICATION

At the end of the spring term of each year, the Vice Chancellor for Academic Affairs will notify, in writing, each faculty member entering her/his penultimate year.

### B. FILES

1. Each faculty member in her/his penultimate year of a probationary appointment must submit a file to be considered for tenure. Any faculty member wishing to be considered for promotion and/or tenure must submit a file.
2. During the last week of the spring term, the Promotion and Tenure Committee will survey faculty as to their intentions of submitting files.
3. The candidate bears the responsibility for preparation of the file on which the decision will be based. Copies of the current USC Spartanburg format for promotion and tenure files and the current promotion and tenure calendar are available in the office of the Vice Chancellor for Academic Affairs.
4. A candidate's file must be complete before the peer review committee completes its evaluation and votes on the candidate. Among the items listed in the USC Spartanburg promotion and tenure format, each candidate must include the following items in his/her file.
  - a. original copies of all available written comments from student opinion polls for the past five years of teaching;
  - b. at least one evaluation external to USCS of the candidate's scholarly or creative achievements and other professional activities.
  - c. at least three letters of evaluations for the application for promotion and/or tenure from USCS campus faculty who are neither members of peer review committees in the candidate's unit nor of the Promotion and Tenure Committee.

- d. an evaluative summary of teaching effectiveness by the candidate's supervisor that includes an evaluative summary of student opinion polls of all courses in the previous five years for which such polls exist, and in the case of library faculty, an evaluative summary of effectiveness as a librarian by the dean of the library (see USCS P.T.-8, II, c.1,d.1);
  - e. the candidate's letter of appointment with salary information blacked out.
5. Letters of evaluation for promotion and/or tenure must be written within the year of review and addressed to the chair of the appropriate peer review committee with copies to the chair of the Promotion and Tenure Committee. (Note: Letters should be submitted to the chair of the peer review committee by the date the file is due to the peer review committee.)

C. ACCESS TO FILES

1. The candidate can review the file except for letters solicited by the candidate and sent directly to the chair of the candidate's peer review committee at anytime prior to the final vote of the peer review committee. After the final vote of the peer review committee, neither the candidate nor any other person may add to or remove from the file any relevant document or information from a file other than the following which must be added:
  - a. the vote of the peer review committee and the summary of its justifications by the peer review chair;
  - b. recommendations and justifications of the division chair, dean, Vice Chancellor for Academic Affairs, and Chancellor;
  - c. the vote and justifications of the Promotion and Tenure Committee;
  - d. the candidate's responses relating to the application for promotion and/or tenure and to any of the above recommendations or votes.
2. The chair of peer review will provide the candidate with a list of letters received (see USCS PT-12) prior to the final vote of the peer review committee. Upon request by the candidate, the chair of peer review will supply a summary of any letter.

3. Files shall not be removed from the administrative offices of the unit reviewing the file.

### III. PROCEDURES OF THE PEER REVIEW COMMITTEE

- A. Faculty members applying for promotion and/or tenure are evaluated by a peer review committee during the fall semester of the year of application. This peer review must be completed by the deadline specified in the calendar established by the Promotion and Tenure Committee.
- B. For the purposes of review for promotion and/or tenure each peer review committee consists of five tenured members elected by the academic unit. If a unit has fewer than five tenured members available for service on the committee, the faculty will substitute tenured faculty members from another voting unit. Faculty members who are seeking promotion and/or tenure, serving on the Promotion and Tenure Committee, or serving as an administrator with responsibility for conducting reviews within a unit are not eligible to serve on the peer review committee. Committee members are to be elected at the last unit meeting in the spring. To insure continuity, at least one committee member should have served on the prior year's committee. The chair is elected by the committee.
- C. Code of Ethics: The members of the peer review committee shall adhere to the following code of ethics.
  1. The proceedings of the committee are confidential with respect to all materials, all discussions, and all votes of the committee relative to applications by candidates for promotion and/or tenure.
  2. The committee shall discuss only written material contained in the files of the candidates under consideration, or the committee may introduce in writing any matter not addressed in a candidate's file, for the purpose of consideration, provided that the candidate is allowed an opportunity to respond. There shall be no discussion of files among individual committee members except during formal committee meetings.
  3. Committee members shall refrain from participation in cases in which their personal prejudices may unduly affect their judgement. No committee member may participate in the deliberations or vote on the candidacy of a spouse or other relative.

4. Committee members' votes shall reflect their best judgment of the candidates' qualifications in meeting the stated criteria.
5. Complaints about possible violations of this code should be made to the chair of the Faculty Welfare Committee, who is responsible for reporting such violations to the chairs of the candidate's Peer Review Committee and the Promotion and Tenure Committee.

- D. Each committee member reviews the promotion and tenure file of each candidate for promotion and/or tenure from that unit and completes a peer annual review evaluation form for each candidate. These separate reviews are unsigned.

The chair edits a summary peer review for each candidate that includes a tally of the number of individual ratings in each category and a summary of the comments on the individual forms. The committee approves the summary. Each member of the committee must sign and date the summary annual review.

The chair is responsible for sending a copy of the summary peer review to

- ◆ each candidate being reviewed
- ◆ the candidate's immediate supervisor
- ◆ the dean of the school or college
- ◆ the Vice Chancellor for Academic Affairs.

The chair is responsible for inserting a copy of the summary peer review in the candidate's summary notebook after page USCS PT-8.

Finally, both the individual annual review sheets and a copy of the summary peer review are sent in an appropriately labeled, sealed envelope to the Office of the Vice Chancellor for Academic Affairs to be archived. Both are confidential.

Only the summary annual review is accessible to the candidate, the Promotion and Tenure committee, the candidate's immediate supervisor, the dean of the school or college, and the Vice Chancellor for Academic Affairs.

- E. The chair of the peer review committee lists on the page in the candidate's summary file labeled USCS PT-12, all letters sent directly to the peer review committee. The chair inserts the letters in the summary file after this page.
- F. For each candidate for promotion and/or tenure, each peer review committee member completes a ballot that includes a justification for the vote. The ballots are to be unsigned.

The chair of the peer review committee will tabulate the votes and prepare a written summary recording the numerical vote, and compiling the justifications written on each of the individual ballots in YES, NO, and ABSTAIN categories. Each committee member will verify the compiled justifications, as applicable, and sign the summary ballot.

The chair of the peer review committee will seal the individual ballots in an appropriately labeled envelope, and will send the envelope to the chair of the Promotion and Tenure Committee. The individual ballots will remain sealed and confidential. The peer review committee chair will insert the summary ballot in the candidate's promotion and tenure summary file after the page labeled USCS PT-13.

- G. The chair of the peer review committee will notify in writing each candidate of the committee's recommendation and provide a summary of the justification by the date specified in the Promotion and Tenure Calendar.

In the event of negative recommendation by peer review committee, the candidate may appeal the decision in writing (to the peer review chair) within five working days. If the candidate appeals, the chair will invite further written comments from the members of the peer review committee. The chair will insert the candidate's written appeal or response in the candidate's summary file after the page labeled USCS PT-15.

- H. Only the candidate can withdraw his/her file from the promotion and tenure process.

#### IV. PROCEDURES FOR UNIT ADMINISTRATIVE REVIEW

- A. After the peer review committee completes its process, the division chair will review the candidate's file, and will write a letter assessing



the candidate's qualifications and making a recommendation on promotion and/or tenure to be included in the candidate's summary file.

- B. The file, including the peer review summary ballot (with justifications) and the chair's letter, will be forwarded to the dean of the school or college. The dean will review the file, add his/her own assessment and recommendation after the page labeled USCS PT-13 and the peer review recommendation. The file is next forwarded to the Promotion and Tenure Committee for its recommendation.
- C. The candidate receives a copy of each of the recommendations by each evaluator in (B). The candidate may write a response to a recommendation within five working days. The written response is forwarded by the candidate to the next reviewer who inserts the response in the candidate's summary file.
- D. Candidates not in their penultimate year have the option of withdrawing their files from consideration at any stage of the review process preceding submission of their file to the Promotion and Tenure Committee. Such a request is made in writing to the chair of the Promotion and Tenure Committee. Candidates in their penultimate year do not have the option of withdrawing their files from consideration unless they resign from the university.

## V. PROCEDURES FOR THE PROMOTION AND TENURE COMMITTEE

- A. MEMBERSHIP  
See Faculty Manual 6-1
- B. RESPONSIBILITIES See Faculty Manual 6-1
- C. Code of Ethics:
  - 1. The proceedings of the committee are confidential with respect to all materials, all discussions, and all votes of the committee relative to applications by candidates for promotion and/or tenure.
  - 2. Committee members shall not enter into communication with other faculty concerning candidates being considered by the committee. There shall be no discussion of files among individual committee members except during formal committee meetings.

3. The committee shall discuss only written material contained in the files of the candidates under consideration. The committee may introduce in writing any matter not addressed in a candidate's file, for the purpose of consideration, provided that the candidate is allowed an opportunity to respond.
  4. Committee members shall refrain from participation in cases in which their personal prejudices may unduly affect their judgment. No committee member may participate in the deliberations or vote on the candidacy of a spouse or other relative.
  5. Committee members' votes shall reflect their best judgment of the candidates' qualifications in meeting the stated criteria.
  6. Complaints about possible violations of this code should be made to the chair of the Faculty Welfare Committee who is responsible for reporting such violations to the chair or chair-elect of the Promotion and Tenure Committee.
- D. **Calendar:** During the last week of classes of the spring semester, the committee publishes a calendar for promotion and tenure that includes deadlines for file submission to peer review, and for recommendations from peer review committees, immediate supervisors, deans, the Promotion and Tenure Committee, the Vice Chancellor for Academic Affairs, and the Chancellor. Each candidate is responsible for submitting his/her file to the appropriate peer review committee by the published deadline.
- E. Files are considered privileged information. Once submitted to the Promotion and Tenure Committee, candidates' files are kept in locked cabinets under the general supervision of the assigned staff secretary of the committee. Committee members study each candidate's files only in the Vice Chancellor's Conference Room.
- F. **Committee Review Procedures.**
1. The chair organizes the files of candidates into the following categories, based on the current faculty rank of candidates, for consideration by the committee:
    - a. instructors seeking promotion to the rank of assistant professor.

- b. assistant professors seeking promotion to the rank of associate professor and/or tenure;
  - c. associate professors seeking promotion to the rank of professor and/or tenure;
  - d. professors seeking tenure.
2. Each file is assigned to a committee member from a different unit than the candidate. The committee member has the responsibility for presenting the assigned candidate's case to the committee. However, all members must read and make written comments on the files of every candidate.

The chair provides members a list of candidates to be reviewed, assigns the files, and designates the order in which they will be reviewed. When the committee is ready to review a candidate's application, the appropriate member presents the candidate's case, giving the candidate's name, a summary of the file contents in relation to the criteria for promotion and/or tenure, and the recommendations of the peer review committee, the unit chair if applicable, and the dean. The member summarizes the favorable and unfavorable positions. The floor is then open for discussion.

3. Voting: In order to vote, eight committee members must be present. A recommendation in favor of promotion and/or tenure requires six affirmative votes if all nine members are present, or five affirmative votes if eight members are present. All committee votes are confidential.

After the presentation of a candidate's case and discussion, each committee member votes and writes a justification for his/her vote. Each vote is taken in the presence of the full committee. The ballots are placed in an envelope and handed to the chair for tabulation.

Any committee member may request reconsideration of any candidate's application once. The chair prepares a summary ballot containing each candidate's name, the vote tally, and a compilation of the justification under the categories YES, NO, and ABSTAIN. The original ballots are placed in a sealed envelope and archived. The summary ballot is made available for committee members' inspection in the Vice Chancellor's Conference Room. Each committee member will verify the compiled justifications, as

## Promotion and Tenure Regulations

applicable, and sign the summary ballot. The chair will insert the final summary ballot after the page labeled USCS P.T.-13 in the candidate's summary notebook.

4. At the conclusion of the promotion and tenure process, each committee member will destroy all personal notes concerning candidates' files.

### G. Notifications

1. The chair notifies each candidate in writing of the committee's recommendations and justification for the recommendation, summarizing the justification recorded on the summary ballot. A candidate does not receive the numerical vote.
2. A candidate may request reconsideration of his/her case. The request must be made in writing to the chair of the Promotion and Tenure Committee within three working days after the candidate receives notification of the committee's recommendation. The candidate's request for reconsideration must address the written summary of the committee's justification for its recommendation. A candidate has the option of appearing before the committee and making a presentation. In such an event there is no debate or discussion between the candidate and committee members. Reconsideration of files must be completed five working days prior to the time the files are due to the Vice Chancellor.
3. After evaluating any requests for reconsideration, the Promotion and Tenure Committee adds its final recommendation to the file of each candidate, notifies the candidate, the immediate supervisor, the dean, and forwards its recommendations to the Vice Chancellor. Faculty members may send a written response to the committee to be added to their files.

## VI PROCEDURES FOR VICE CHANCELLOR AND CHANCELLOR

- A. The Vice Chancellor for Academic Affairs reviews the file and makes a recommendation regarding promotion and/or tenure. The recommendation is added to the candidate's file, and the candidate is notified in writing with the justification for the recommendation.

## Promotion and Tenure Regulations

---

1. The candidate may write a response to be included in his/her file within three working days of notification of the Vice Chancellor's recommendation.
  2. Copies of the Vice Chancellor's recommendation are sent to the candidate's division chair and/or dean and to the chair of the Promotion and Tenure Committee.
  3. After making a recommendation, the Vice Chancellor forwards the file to the Chancellor.
- B. The Chancellor reviews the file and makes a recommendation regarding promotion and/or tenure. The recommendation is added to the candidate's file, and the candidate is notified in writing with the justification for the recommendation.
1. The candidate may write a response to be included in his/her file within three working days of notification of the Chancellor's recommendation. The candidate has the option of a personal meeting with the Chancellor.
  2. Copies of the Chancellor's recommendation are sent to the candidate's division chair and/or dean, the chair of the Promotion and Tenure Committee, and the Vice Chancellor for Academic Affairs.
  3. If there are differences between the recommendations of the Promotion and Tenure Committee and those of the Chancellor, the Chancellor will meet with the Promotion and Tenure Committee to discuss the differences prior to sending his/her recommendations forward to the President.
- If decisions of the Chancellor vary from those of the Promotion and Tenure Committee, the committee may add to each of the respective candidate's files a written response addressing the Chancellor's justification.
- C. No later than March 1, the files, including all recommendations and responses are sent to the President of the University who sends his/her recommendation to the Board of Trustees. The President informs the Chancellor of his/her recommendation to the Board of Trustees. The



Secretary of the Board of Trustees notifies the candidate of the Board's decision.<sup>3</sup>

**Termination of Tenured Faculty.** Termination or dismissal of tenured faculty shall be only for cause. Cause shall mean one or more of the following:

- (1) failure to perform adequately the duties of the position so as to constitute incompetence and/or habitual neglect of duty;
- (2) misconduct related directly and substantially to the fitness of the faculty member in his or her professional capacity as a teacher, researcher, or librarian;
- (3) conduct or action which is not protected by the Constitution or laws and which is a clear interference with the academic functions of the university;
- (4) prolonged inability for medical reasons to perform the duties required for the position; termination of a tenured member of the faculty for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of appointment;
- (5) lapse or withdrawal of licensure to practice in the State of South Carolina; the loss of licensure in any professional area may also be considered as a cause for termination if the license is necessary for the performance of one's academic duties;
- (6) bona fide reduction in staff, which may be caused by financial exigency or by discontinuance or reduction in size of a program or instructional unit for reasons not related to financial exigency.

**Termination for Failure to Perform Duties Due to Incompetence and/or Habitual Neglect of Duty; Termination for Misconduct or Conduct interfering with the Academic Functions of the University; for Medical Reasons; for Lapse or Withdrawal of License.**

**Discussion with the Chancellor.** After it becomes evident to the Chancellor that termination may be desirable, there must be discussions between the faculty member and the Chancellor with the intent of arriving at a mutually agreed upon resolution.

**Re-Assignment.** The Chancellor may assign the faculty member to new duties if the faculty member's continuance in normal duties threatens immediate harm to the faculty member or to others.

**Faculty Grievance Committee Review.** If the Chancellor and the faculty member are unable to reach a resolution, the Chancellor informs the Faculty Grievance

Committee of his or her intention to terminate a tenured member of the faculty. The Chancellor gives this Committee and the faculty member a statement of charges, framed with reasonable particularity, and the basis for these charges, also stated with reasonable particularity. The function of the Committee is to determine whether the facts alleged, if true, establish the charge and whether the charge is of such a nature as to warrant termination. The discussions, records, and recommendations of the Committee remain confidential.

The Committee informs in writing both the Chancellor and the faculty member of its recommendations and its reasons for those recommendations. Should the Chancellor then wish to pursue termination proceedings, the Chancellor informs in writing the faculty member of his or her intention to terminate, including a precise statement of specific charges. The letter shall also inform the faculty member of his or her right to request a hearing by the Promotion and Tenure Committee.

If a faculty member does not request a hearing by the Promotion and Tenure Committee within ten days of receipt of notification by the Chancellor, the Chancellor, without recourse to further proceedings, may send a written letter of termination.

**Promotion and Tenure Committee Hearings.** If a faculty member desires a hearing by the Promotion and Tenure Committee, he or she must inform the Committee and the Chancellor in writing within ten days of the receipt of notification by the Chancellor of the proposed termination.

Upon receipt of a written request for a hearing, the Chair of the Promotion and Tenure Committee schedules a hearing no sooner than 20 days and no later than 60 days from the date of receipt. All parties must be given written notice as to the time, date, and place.

The following standards and procedures apply in the conduct of the hearing:

- (1) The hearing is closed.
- (2) A verbatim record of the hearing or hearings is taken and a copy made available to the faculty member, without cost, at his or her request.
- (3) The burden of proof that adequate cause exists rests with the Chancellor and is satisfied only by clear and convincing evidence in the record as established at the hearing, considered as a whole.
- (4) Faculty members and the Chancellor are permitted to have an academic advisor and/or counsel of their choice present during the proceedings.

- (5) Faculty members are afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The Chancellor cooperates with the Committee in making available documentary and other evidence.
- (6) Faculty members and their advisors or counsel and the Chancellor or his or her representative have the right to confront and to cross-examine all witnesses. Where the witness cannot or will not appear but the Committee determines that the interest of justice require admission of witnesses' statements, the Committee identifies the witnesses and discloses statements.
- (7) The Committee is not bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort is made to obtain the most reliable evidence available.
- (8) The findings of fact and the decision of the Committee are based solely on the hearing record.

If the Promotion and Tenure Committee concludes that adequate cause for termination has been established, it informs the Chancellor and faculty member in question.

If the Committee concludes that action short of termination would be more appropriate, it informs the Chancellor and the faculty member together with supporting reasons, and the termination proceedings shall stop at this point.

If the Committee concludes that adequate cause for termination has not been established, it informs the Chancellor and the faculty member, together with supporting reasons, and the termination proceedings shall stop at this point.

**Final Disposition and Appeals.** Within ten days of receipt of the Committee's report, the Chancellor informs in writing the faculty member and the Committee of his or her decision together with supporting reasons. The Chancellor informs the faculty member of his or her right to appeal an adverse decision to the Academic Affairs Committee of the Board of Trustees. If the faculty member takes no action within ten days of receipt of notification by the Chancellor, the Chancellor may send a letter of termination.

The decision by the Academic Affairs Committee of the Board of Trustees is final within the university. If the Committee's decision is to support the intention of the Chancellor, the Chancellor may then send formal notification of termination.

### **Termination Because of Bona Fide Reduction in Staff.**

**Termination Because of Financial Exigency.** Financial exigency means an imminent financial crisis which threatens the survival of the university as a whole and which cannot be alleviated by less drastic measures than termination of tenured faculty.

A committee of the faculty must participate with the administration in the decision that condition of financial exigency exists or is imminent and that all feasible alternatives to termination of tenured appointments have been pursued. This committee shall consist of eight members of the faculty, no more than two from the same school, appointed by the Faculty Chair with the concurrence of the Faculty Advisory Committee. The committee must participate in the formulation of criteria for determining termination. Length of service may be appropriately included among the criteria. The committee itself or through appointing persons and/or groups as agents must participate in the decision as to which appointments are to be terminated.

Faculty members receiving notification of an intention to terminate because of financial exigency are entitled to a hearing before the Promotion and Tenure Committee as specified above.

The issues in this hearing may include

- (1) the existence and extent of the condition of financial exigency. The burden rests upon the Chancellor to prove the existence and extent of the condition;
- (2) the validity of the educational judgments and criteria for determining termination;
- (3) whether the criteria are being properly applied in the individual cases.

**Termination Because of Reduction in Program or Instructional Unit.** The decision to discontinue or reduce a program or instructional unit is based upon long-range judgments that the educational mission of the university as a whole is enhanced by the discontinuance in contrast to considerations which reflect cyclical or temporary conditions.

The decision to discontinue or reduce a program or instructional unit must be arrived at jointly by the Chancellor and the faculty committee as described above under "Termination Because of Financial Exigency."

Every effort must be made to place faculty members affected by discontinuance in another suitable position within the institution. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training

is offered. Only if no position is available may a tenured member of the faculty be terminated for reasons of discontinuance.

A faculty member receiving notification of an intention to terminate because of discontinuance is entitled to a hearing before the Promotion and Tenure Committee in accord with the procedures described above. A faculty member receiving notification of an intention to terminate because of discontinuance or reduction in program or instructional unit is given twelve month's notice.

In all cases of termination of appointment, the place of the faculty member concerned is not to be filled by a replacement within a period of three years, unless the released faculty member is offered reinstatement and ten working days in which to accept or decline the position.

**Endnotes:**

1. Phrase "Only tenured associate professors/librarians and professors/librarians" revised 9-1-95/4-19-96, approved by Board of Trustees on 9-25-96.
2. This paragraph revised 9-1-95/4-19-96, approved by Board of Trustees on 9-25-96.
3. This section (pages 6-8 to 6-19) revised 9-1-95/4-19-96, approved by Board of Trustees on 9-25-96.





# PROMOTION AND TENURE REGULATIONS

## Promotion and Tenure Committee

### Duties

The Committee establishes criteria for promotion and tenure and sets procedures for the implementation of promotion and tenure policies, subject to approval by the faculty and all appropriate administrative channels. The Committee, in accordance with approved criteria and procedures, makes recommendations to the Chancellor regarding the granting of promotion and tenure.

### Membership

The Promotion and Tenure Committee consists of nine faculty members, six elected and three appointed. Terms are for three years, with two members elected and one appointed each year. Only full-time tenured faculty members with the rank of assistant professor or above who have taught at USCS for one year or more are eligible for Committee membership. Each voting unit is represented as long as at least two faculty members from that unit are eligible to serve; if at least two faculty members from a unit are not eligible to serve, the requirement that the voting unit be represented on the Committee is waived until two or more faculty members are eligible. If the position is an elected one, it is filled by an election by the general faculty; if the position is an appointed one, it is filled by appointment by the Chancellor. No more than two faculty members from the same voting unit may serve on the Committee at the same time. Elections of members of the Committee are held at the general faculty meeting in the spring, with nominations from the floor.

Elected Committee members who find it necessary to resign shall be replaced by election at a called faculty meeting. Appointed Committee members who find it necessary to resign shall be replaced by appointment by the Chancellor.

### Tenure Criteria

Faculty are responsible for insuring that their files are current with respect to evidence needed to support promotion and tenure recommendations.

Approved 07/23/88

## Definitions for Teaching Faculty

**Teaching Effectiveness.** Effective teaching has many manifestations. It comprises classroom instruction and a broad range of faculty-student relationships. Individual attributes may vary, and the extent to which individuals exhibit an attribute may differ, but the following traits are those which are commonly valued in a teacher: command of subject matter; familiarity with advances in one's field; organization and presentation of material in a forceful and logical manner through the use of a variety of methods; active involvement of students in the learning process; capacity to awaken in students an awareness of the general objectives of one's discipline; ability to make one's discipline relevant to the students' lives and values; ability to guide advanced students to creative work; maintenance of a high standard of achievement among students and fairness and good judgment in grading students' performance.

The extent and skill of a faculty member's participation in the general guidance and advising of students and his or her contributions to student welfare are of importance in appraising a teacher's value to the university. A teacher's ability to communicate effectively with students is valued.

**Service.** Faculty members are responsible for contributing to the processes which enable the university to implement its mission. Since the faculty plays an important role in the formulation of university policies, recognition is given to faculty members who participate effectively in faculty governance and the development of institutional procedures, whether assigned or assumed voluntarily. Service by faculty to larger communities, local, state, national, and international, is valued. Public service which leads to the advancement of a profession is considered worthy of recognition. Distinctions must be made between routine performances and high-level contributions to collegial endeavors. Additional remuneration for this kind of service shall not lessen the worth of such contribution in evaluating a candidate's performance.

**Scholarship and Creativity.** Demonstrated professional distinction is recognized as a criterion for promotion and tenure. Faculty members are expected to provide evidence of scholarly achievement. Such evidence varies depending upon the talents and interests of individuals and their particular fields of study. In any endeavor, the quality of the work is more important than the quantity. Each of the following is valued according to the contribution to the field: application of knowledge in one's academic field of interest to special projects, publication of scholarly books, textbooks, articles in scholarly refereed journals, other publications, professional reports and reviews, and participation in projects of scholarly interest. Applied research and consultation for business, industry, government, education, and service agencies are recognized as avenues of professional development and creativity and are important aspects of scholarship in the university's service to the community. Additional remuneration for this kind

of work shall not lessen the worth of such contribution in evaluating a candidate's performance.

In certain fields such as art, music, and literature, distinguished creativity and performance receive consideration equivalent to distinction attained in research and other scholarly endeavors. Creative activities often receive public recognition as reflected in professional awards, the assignment of special tasks and commissions, the acceptance of the faculty member's work in permanent collections, publication in leading professional journals or multiple publications of a significant article, invitations to participate in juried exhibits, and any other public honor. Additional remuneration for this kind of work shall not lessen the worth of such contribution in evaluating a candidate's performance.

### Definitions for Library Faculty

**Effectiveness as a Librarian.** Librarians are involved in the educational mission of the university in a variety of ways, and manifestations of effectiveness depend upon a librarian's specific responsibilities. The following traits are those commonly valued in a librarian: command of the principles of librarianship; familiarity with advances in librarianship and the ability to serve users by anticipating and contributing to their needs through collection development and by improving systems of organization or retrieval of information; the ability to communicate effectively with members of the academic community; the ability to develop cooperation between area libraries and to expand sources of available information; the ability to contribute to effective administrative coordination of library activities by developing library policies and procedures. Administrative evaluations, the opinions of library colleagues, and the opinions of library users may be used as evidence of effectiveness as a librarian.

**Service.** The definition of service used for teaching faculty is also applicable to librarians.

**Scholarship and Creativity.** Demonstrated professional distinction is recognized as a criterion for promotion and tenure. Librarians are responsible for facilitating the work of others, and for this reason, significant contributions to the research or scholarly work of others is valued. Participation in scholarly projects that result in better organization of information or access to information is equally important. Expanding the organization of information on a national, state, or local level is one significant method of contribution, as is helping individual scholars by providing bibliographic knowledge. Publication of scholarly books or journal articles, presentations at professional meetings or workshops, applications for grants to further scholarly activity, and service as a consultant are also valued.

Librarians may also demonstrate librarianship by taking courses outside their discipline or by taking advanced courses in librarianship as well as by participating in creative activities such as preparation of exhibits.

### Criteria for Ranks

As a general policy, the qualifications for appointment and promotion are not intended as justification for automatic promotion. Conversely, justified exceptions to the qualifications for appointment and promotion may be made if warranted.

### Criteria for Promotion and Appointment of Teaching Faculty

To be eligible for the rank of professor, faculty members (1) must have a record of outstanding teaching and must also have made significant contributions in either service or scholarship and creativity, or (2) must have a record of outstanding teaching and must also have made reasonable contributions to both service and scholarship and creativity. Faculty are expected to hold the earned doctor's degree and to have a minimum of nine years of relevant experience.

To be eligible for the rank of associate professor, faculty members must have a record of effective performance in teaching and in either service or scholarship and creativity. Faculty are normally expected to hold the earned doctor's degree and to have a minimum of five years of relevant experience.

To be eligible for the rank of assistant professor, faculty members must possess strong potential for academic development. Normally, faculty are expected either to hold an earned doctor's degree or a master's degree with substantial additional academic work or work experience related to the field of expertise or to have substantial work beyond the master's degree with a minimum of five years relevant experience.

The normal educational requirements for each rank may be waived in cases where individuals have (a) made extraordinary contributions in teaching, service, or scholarship and creativity or (b) in disciplines where the earned doctorate is not commonly required for undergraduate teaching.



## Criteria for Promotion and Appointment of Library Faculty

To be eligible for the rank of librarian, a faculty member (1) must have a record of outstanding effectiveness as a librarian and must also have made significant contributions in either service or scholarship and creativity or (2) must have a record of outstanding teaching and must also have made reasonable contributions to both service and to scholarship and creativity. The faculty member is expected to have at least an earned master's degree in library science and a second master's in another field or a specialist degree and a minimum of nine years of library experience at the assistant librarian level or above.

To be eligible for the rank of associate librarian, a faculty member must have demonstrated a high degree of effectiveness as a librarian and have a record of effectiveness in either service or scholarship and creativity. The faculty member is expected to have at least an earned master's degree in library science and have a minimum of five years of library experience at the assistant librarian level.

To be eligible for the rank of assistant librarian, a faculty member must have a minimum of five years of relevant experience including at least two years of experience as a library faculty member and must possess strong potential for development. The faculty member is expected to have an earned master's degree in library science.

Library faculty not meeting these criteria are eligible for the rank of instructor. Additional advanced degrees will be looked on favorably for promotion consideration. The normal educational requirements for each rank may be waived in cases where a person has made an extraordinary contribution as a librarian.

## Tenure Regulations

### Regulations for Teaching Faculty

USCS generally adheres to the standards of the American Association of University Professors regarding the rights, privileges, and benefits accorded faculty members; where university policies differ from those standards, the regulations stated herein, or as subsequently modified by the university, apply.

To promote its welfare, the university in general extends the opportunity for full-time tenure-track faculty members to become tenured. To offer the opportunity to become tenured, the university adheres to the following regulations:

New Faculty. Faculty are notified of their tenure status in their letter of appointment. New members of the faculty are

informed of the tenure regulations applicable on the effective date of their appointments. Changes in tenure regulations are not applied retroactively if disadvantageous to the faculty member. Faculty members who acquire tenure are notified in writing at the time.

**Probationary Period.** The maximum probationary period for all full-time faculty members appointed at the rank of professor is continuous service at the rank for four years at USCS. The maximum probationary period for all full-time faculty members appointed at the rank of associate professor is continuous service at the rank for five years at the USCS. The maximum probationary period for all full-time faculty members with the rank of assistant professor is continuous service in the rank for six years at the USCS. The maximum probationary period at any combination of ranks is the probationary period of the faculty member's first tenure track appointment at USCS.

For the purposes of consideration for promotion and/or tenure, each year of a first semester appointment is taken to begin with the scheduled fall term, and each year of a second semester appointment is taken to begin with the previous fall term. A summer appointment is taken to begin with the subsequent fall term.

A decision is made as to the status of any tenure-eligible faculty member by the following times:

Rank	Probationary Period	Decision Date
Full Professor:	4 years	end of 3rd year
Associate Professor:	5 years	end of 4th year
Assistant Professor:	6 years	end of 5th year

**Award of Tenure at Time of Appointment.** It is contrary to university policy to award tenure at the time of appointment unless such an award can be demonstrated to be in the university's interest. Permission to negotiate with respect to the award of tenure to associate or full professors must be secured in advance through appropriate channels from the Chancellor's Office to the President. When permission has been granted to consider the award of tenure to a specific person, the Promotion and Tenure Committee votes on the award of tenure by secret ballot and the tally of the votes as well as any written comments by members of the committee are forwarded as part of the Vice Chancellor's recommendation concerning the appointment.

Final action in any award of tenure requires approval of the Board of Trustees.

**Not Eligible for Tenure.** Only full-time faculty members holding the rank of assistant professor, associate professor, professor, and librarian are eligible for tenure. Appointments to all other faculty ranks are on an annual basis and service under such appointments is not considered part of a probationary period for tenure consideration.

**Non-renewal.** If, during the first year of a probationary appointment, it is deemed in the best interest of the university not to renew the appointment, notice of such non-renewal is given in writing by March 1 (July 1 for a second semester appointment).

If, during the second year of a probationary appointment, it is deemed in the best interest of the university not to renew the appointment at the end of the second year, notice of such non-renewal is given in writing by December 15 (April 15 for a second semester appointment).

Thereafter, notice in writing of the non-renewal of any appointment to which the provisions of this section apply is given at least twelve months prior to the date of non-renewal.

If notice of non-renewal is not given in writing by the beginning of the fourth year of the maximum probationary period in the case of professors, by the beginning of the fifth year of the maximum probationary period for associate professor, or by the beginning of the sixth year of the maximum probationary period in the case of assistant professors, then the appointment of the faculty member is a continuous, or tenured, appointment.

#### Regulations for Library Faculty

The tenure regulations established for other faculty members also apply to library faculty members, except that the maximum probationary period for a library faculty member is six years of service at the rank of assistant librarian or five years of service in the case of any rank above assistant librarian.

#### Regulations for Administrators

No administrator acquires a permanent appointment in administrative office. Relinquishing administrative office does not affect faculty rank or tenure. The tenure status of a member of the faculty appointed to an administrative position is not affected adversely by such an appointment.

The period of time spent in an administrative position by a tenure track person teaching one-quarter or less of the course load of full-time faculty is not counted as service in the

probationary period. A non-tenured individual holding an administrative position may acquire tenure only in exceptional circumstances and only upon recommendation through the appropriate channels.

## Review Procedures

### File Submissions Prior to the Promotion and Tenure Committee

Faculty seeking promotion, tenure, or both first submit their files to the appropriate school or division peer review committee. That committee has the option of recommending revisions in a candidate's file. Files are not revised after leaving the peer review committee. The peer review committee will make a specific recommendation concerning promotion and tenure which will be added to the candidate's file.

After the peer review committee has completed its work, the dean of the candidate's school adds a letter of recommendation to the file. After the dean's letter is added, the Vice Chancellor for Academic Affairs adds his or her recommendation to the file. All recommendations shall include written justification.

At the same time that each of these recommendations (peer review committee, dean, Vice Chancellor for Academic Affairs) is added to the file, the faculty member is given a copy of the recommendation by the evaluator. A faculty member may add to the file a written response to any recommendation. This response is forwarded by the faculty member to the next reviewer who adds the response to the candidate's file.

Faculty members not in the penultimate year of the probationary period have the option of withdrawing their files from consideration at any stage of the review process preceding submission of their file to the Promotion and Tenure Committee. Such a request is made in writing to the Chair of the Committee. Faculty in their penultimate year do not have the option of withdrawing their files from consideration unless they resign from the university, in which case their files are returned to them without further consideration.



File Submission to the Promotion and Tenure Committee

**Voting.** After all earlier stages of the review process are completed, the Promotion and Tenure Committee reviews files of all candidates. For the purposes of voting, a quorum is eight Committee members. To be recommended by the Committee for promotion and/or tenure, six affirmative votes are required if all nine members are present; five affirmative votes are required if eight members are present. All Committee votes are confidential unless a grievance action is taken in regard to any promotion and/or tenure action.

**Committee Recommendations.** After all files have been reviewed and votes taken, the Committee's recommendation is added to the appropriate file and each candidate is notified in writing of the Committee's recommendation and the Committee's justification for its recommendation. Faculty may request a reconsideration of their cases. A candidate has the option of a personal appearance before the Committee. After evaluating any requests for reconsideration, the Promotion and Tenure Committee adds its final recommendations to the files, notifies the candidates, and forwards its recommendations to the Chancellor. Faculty members may send a written response to the Committee to be added to their files. A copy of the Committee's recommendation and all responses are sent to the Chancellor.

**Chancellor's Recommendation.** The Chancellor's recommendation on each case is added to the appropriate file and the Chancellor notifies in writing each candidate of his or her recommendation, including written justifications. In the event of a negative recommendation by the Chancellor, the faculty member is given written notification at least ten working days before the Chancellor's recommendation is sent to the President. The candidate may send a written response to the Chancellor. This response is added to the candidate's file. The candidate has the option of a personal meeting with the Chancellor. A copy of the Chancellor's recommendation and all responses are sent to the Vice Chancellor.

At the same time that the Chancellor notifies a candidate of his or her recommendation, a copy of the notification is sent to the Chair of the Promotion and Tenure Committee. If a recommendation from the Chancellor varies from that of the Committee, the Committee Chair receives notification of that difference from the Chancellor at least ten working days before the Chancellor's recommendation is sent to the President. The Committee has the option of adding to the file a written response addressing the Chancellor's justification. The Committee may also request a meeting with the Chancellor to discuss the difference.

No later than April 1, the files, including all recommendations and responses, are sent to the President who sends his or her recommendation to the Board of Trustees. If there is a difference between the recommendation of the Promotion and Tenure Committee and the Chancellor, or if the President should not agree with a joint recommendation of the Promotion and



Tenure Committee and the Chancellor, the President informs the Chancellor of his or her recommendation to the Board of Trustees. The Secretary of the Board of Trustees notifies the candidate of the Board's decision.

### Termination of Tenured Faculty

Termination or dismissal of tenured faculty shall be only for cause. Cause shall mean one or more of the following:

- (1) failure to perform adequately the duties of the position so as to constitute incompetence and/or habitual neglect of duty;
- (2) misconduct related directly and substantially to the fitness of the faculty member in his or her professional capacity as a teacher, researcher, or librarian;
- (3) conduct or action which is not protected by the Constitution or laws and which is a clear interference with the academic functions of the university;
- (4) prolonged inability for medical reasons to perform the duties required for the position; termination of a tenured member of the faculty for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of appointment;
- (5) lapse or withdrawal of licensure to practice in the State of South Carolina; the loss of licensure in any professional area may also be considered as a cause for termination if the license is necessary for the performance of one's academic duties;
- (6) bona fide reduction in staff, which may be caused by financial exigency or by discontinuance or reduction in size of a program or instructional unit for reasons not related to financial exigency.

Termination for Failure to Perform Duties Due to Incompetence and/or Habitual Neglect of Duty; Termination for Misconduct or Conduct interfering with the Academic Functions of the University; for Medical Reasons; for Lapse or Withdrawal of License.

Discussion with the Chancellor. After it becomes evident to the Chancellor that termination may be desirable, there must be

discussions between the faculty member and the Chancellor with the intent of arriving at a mutually agreed upon resolution.

**Re-Assignment.** The Chancellor may assign the faculty member to new duties if the faculty member's continuance in normal duties threatens immediate harm to the faculty member or to others.

**Faculty Grievance Committee Review.** If the Chancellor and the faculty member are unable to reach a resolution, the Chancellor informs the Faculty Grievance Committee of his or her intention to terminate a tenured member of the faculty. The Chancellor gives this Committee and the faculty member a statement of charges, framed with reasonable particularity, and the basis for these charges, also stated with reasonable particularity. The function of the Committee is to determine whether the facts alleged, if true, establish the charge and whether the charge is of such a nature as to warrant termination. The discussions, records, and recommendations of the Committee remain confidential.

The Committee informs in writing both the Chancellor and the faculty member of its recommendations and its reasons for those recommendations. Should the Chancellor then wish to pursue termination proceedings, the Chancellor informs in writing the faculty member of his or her intention to terminate, including a precise statement of specific charges. The letter shall also inform the faculty member of his or her right to request a hearing by the the Promotion and Tenure Committee.

If a faculty member does not request a hearing by the Promotion and Tenure Committee within ten days of receipt of notification by the Chancellor, the Chancellor, without recourse to further proceedings, may send a written letter of termination.

**Promotion and Tenure Committee Hearings.** If a faculty member desires a hearing by the Promotion and Tenure Committee, he or she must inform the Committee and the Chancellor in writing within ten days of the receipt of notification by the Chancellor of the proposed termination.

Upon receipt of a written request for a hearing, the Chair of the Promotion and Tenure Committee schedules a hearing no sooner than 20 days and no later than 60 days from the date of receipt. All parties must be given written notice as to the time, date, and place.

The following standards and procedures apply in the conduct of the hearing:

- (1) The hearing is closed.
- (2) A verbatim record of the hearing or hearings is taken and a copy made available to the faculty member, without cost, at his or her request.
- (3) The burden of proof that adequate cause exists rests with the Chancellor and is satisfied only by clear and convincing evidence in the record as established at the hearing, considered as a whole.
- (4) Faculty members and the Chancellor are permitted to have an academic advisor and/or counsel of their choice present during the proceedings.

- (5) Faculty members are afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The Chancellor cooperates with the Committee in making available documentary and other evidence.
- (6) Faculty members and their advisors or counsel and the Chancellor or his or her representative have the right to confront and to cross-examine all witnesses. Where the witness cannot or will not appear but the Committee determines that the interest of justice require admission of witnesses' statements, the Committee identifies the witnesses and discloses statements.
- (7) The Committee is not bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort is made to obtain the most reliable evidence available.
- (9) The findings of fact and the decision of the Committee are based solely on the hearing record.

If the Promotion and Tenure Committee concludes that adequate cause for termination has been established, it informs the Chancellor and faculty member in question.

If the Committee concludes that action short of termination would be more appropriate, it informs the Chancellor and the faculty member together with supporting reasons, and the termination proceedings shall stop at this point.

If the Committee concludes that adequate cause for termination has not been established, it informs the Chancellor and the faculty member, together with supporting reasons, and the termination proceedings shall stop at this point.

**Final Disposition and Appeals.** Within ten days of receipt of the Committee's report, the Chancellor informs in writing the faculty member and the Committee of his or her decision together with supporting reasons. The Chancellor informs the faculty member of his or her right to appeal an adverse decision to the Academic Affairs Committee of the Board of Trustees. If the faculty member takes no action within ten days of receipt of notification by the Chancellor, the Chancellor may send a letter of termination.

The decision by the Academic Affairs Committee of the Board of Trustees is final within the university. If the Committee's decision is to support the intention of the Chancellor, the Chancellor may then send formal notification of termination.

## Termination Because of Bona Fide Reduction in Staff

### Termination Because of Financial Exigency

Financial exigency means an imminent financial crisis which threatens the survival of the university as a whole and which cannot be alleviated by less drastic measures than termination of tenured faculty.

A committee of the faculty must participate with the administration in the decision that condition of financial exigency exists or is imminent and that all feasible alternatives to termination of tenured appointments have been pursued. This committee shall consist of eight members of the faculty, no more than two from the same school, appointed by the Faculty Secretary with the concurrence of the Faculty Advisory Committee. The committee must participate in the formulation of criteria for determining termination. Length of service may be appropriately included among the criteria. The committee itself or through appointing persons and/or groups as agents must participate in the decision as to which appointments are to be terminated.

Faculty members receiving notification of an intention to terminate because of financial exigency are entitled to a hearing before the Promotion and Tenure Committee as specified above.

The issues in this hearing may include

- (1) the existence and extent of the condition of financial exigency. The burden rests upon the Chancellor to prove the existence and extent of the condition.
- (2) the validity of the educational judgments and criteria for determining termination;
- (3) whether the criteria are being properly applied in the individual cases.

### Termination Because of Reduction in Program or Instructional Unit

The decision to discontinue or reduce a program or instructional unit is based upon long-range judgments that the educational mission of the the university as a whole is enhanced by the discontinuance in contrast to considerations which reflect cyclical or temporary conditions.

The decision to discontinue or reduce a program or instructional unit must be arrived at jointly by the Chancellor and the faculty committee as described above under "Termination Because of Financial Exigency."

Every effort must be made to place faculty members affected by discontinuance in another suitable position within the

institution. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training is offered. Only if no position is available may a tenured member of the faculty be terminated for reasons of discontinuance.

A faculty member receiving notification of an intention to terminate because of discontinuance is entitled to a hearing before the Promotion and Tenure Committee in accord with the procedures described above.

A faculty member receiving notification of an intention to terminate because of discontinuance or reduction in program or instructional unit is given twelve month's notice.

In all cases of termination of appointment, the place of the faculty member concerned is not to be filled by a replacement within a period of three years, unless the released faculty member is offered reinstatement and ten working days in which to accept or decline the position.



## FACULTY GRIEVANCE PROCEDURES

### Purpose and Definitions

#### Purpose

The purpose of the faculty grievance procedures is to ensure that justice is meted out. While the process follows the guidelines below, these proceedings should not be viewed as being designed for the strictness and formality of a court of law.

#### Definition of a Faculty Member

Faculty members covered in this statement of grievance procedures include faculty, librarians, academic administrators.

#### Grievable Matters

A grievance may be lodged on, but is not limited to, unlawful discrimination, denial of due process, or denial of academic freedom resulting in denial of promotion or tenure, dismissal of contract employees prior to the conclusion of a contract term, salary, discrimination in compensation, promotion, work assignments, or unfair treatment; inadequate documentation for a particular action, inadequate consideration or inequitable application of appropriate criteria, or use of impermissible criteria. These criteria do not apply to changes in administrative work assignments for persons in administrative positions.

These grievance procedures do not apply to the dismissal of tenured faculty members. Procedures for appeal of dismissal of a tenured faculty member are found under "Promotion and Tenure Regulations," in this Manual.

Non-renewal of untenured faculty members is not grievable under the Faculty Grievance Procedures except for unlawful discrimination, denial of academic freedom, or denial of procedural due process.

## Administrative Review

In cases of non-renewal or denial of promotion and/or tenure, the notice of a grievable action is the official letter announcing the decision. The respondent is the individual against whom the grievance is being brought, and may be an administrative superior, a committee chair, or someone else. Within 30 days\* of receiving notice of such an action, the grievant will seek an oral explanation from the respondent. If notice of a grievable action is made during the summer, the grievant will seek an explanation from the respondent within 20 days of the beginning of the fall semester. A grievant may choose to have a faculty member present at the explanation. The respondent will provide an oral explanation within 5 days. At this point the deadlines listed below may be suspended as long as both parties agree in writing that satisfactory and expeditious progress is being made in resolving the dispute.

In all other grievable matters, the grievant will send notice of a grievable action to the respondent and will seek an oral explanation from the respondent within 30 days of the beginning of the fall semester. A grievant may choose to have a faculty member present at the explanation. The respondent will provide an oral explanation within five days. At this point the deadlines listed below may be suspended as long as both parties agree in writing that satisfactory and expeditious progress is being made in resolving the dispute.

If a solution is not obtained through the oral explanation, the grievant may, within three days after the oral explanation, seek written explanation from the respondent. This explanation must be provided within five days of the formal request.

If the written explanation of the respondent does not resolve the conflict, the grievant must, within seven days, state the case in writing. The written explanations of both the grievant and the respondent are then forwarded through appropriate administrative levels to the Chancellor. The Chancellor requests reconsideration of the grievant's case by a lower-level administrator or by a faculty committee if it is deemed that another review would substantially alter the decision that caused the grievance. The Chancellor may also order redress without further review. The Chancellor informs the faculty

---

\*All days referred to in this procedure are working days, not including Saturdays (when classes may be taught) or summer sessions. The day following the actual day of notification is the first day in the series. If those against whom the grievance is brought fail to comply with a deadline, the case goes to the next highest level. The grievant should be aware that the grievance process is long and that it may be wise to seek legal counsel early to determine whether or not there would be grounds for legal action should the grievance process not provide relief. It may, however, be necessary to begin legal action before the end of the grievance process in order to avoid going beyond the statute of limitation for some grounds.

member in writing of the decision and the reasons for the decision. At the same time, the Chancellor also informs the faculty member of the right to review, including the name of the chair of the Grievance Committee and the applicable review procedures. The informal administrative review must be completed within ten days.

If, after all administrative reviews, a faculty member believes there is a cause for grievance, the Grievance Committee may be petitioned for consideration. Such a petition must be made in writing to the chair of the Grievance Committee no later than five days from receipt of the Chancellor's letter.

### Grievance Procedure

Upon being notified of the need for a grievance hearing, the chair of the Grievance Committee draws names from the Grievance Committee to form the hearing panel of three. No one from the grievant's division (within the School of Humanities and Sciences) or school shall serve. If the grievant is a librarian, no library faculty member shall serve. Members of the hearing panel may disqualify themselves on the grounds of bias or personal interest. The grievant and those against whom the grievance has been brought each have the right to challenge, without explanation, one member of the hearing panel at the time of the hearing panel's formation. The hearing panel elects its own chair.

### Preparation for the Grievance Hearing

A grievant's petition to the hearing panel must set forth the factual basis for the contentions and the relief requested. The grievant should request from the chair of the hearing panel of all data necessary to the case to which the grievant does not have access.

Within seven days of the receipt of a grievance, the chair of the hearing panel is authorized to require any and all persons (including committees) employed by the University of South Carolina, whether direct parties to a particular grievance or not, to submit to the chair of the hearing panel any and all data that are pertinent to a particular grievance. Also, within seven days of receipt of a request for a grievance hearing, the chair of the hearing panel notifies all parties to the grievance, in writing that a grievance has been filed, and the date, time, and place of the grievance hearing. All parties have fourteen days to submit the requested data.

The chair of the hearing panel forwards copies of all docu-

ments and data to the members of the hearing panel, and informs them, in writing, of the date, time, and place of the grievance hearing. The hearing date is ten days from the receipt of all pertinent information.

The chair informs the faculty member of the specific procedures governing the hearing. The hearing is closed unless requested otherwise by the grievant and agreed to by the hearing panel.

If the grievant requests, the chair of the hearing panel makes available to the grievant copies of all data and documents pertinent to the case. In the case of material classified as confidential, a detailed summary (without names) is prepared by the hearing panel chair and provided to the grievant. The grievant's request must be filed at least three working days prior to the grievance hearing.

### Conduct of the Hearing

The chair presides. The chair of the hearing panel is authorized to request any and all persons (including committees) employed by the University of South Carolina, whether direct parties to a particular grievance or not, to give testimony during the hearing.

The grievant has the opportunity to present evidence and the right to representation by counsel. Counsel may address the hearing panel.

The grievant may be present throughout the hearing. Cross-examination is permitted.

The proceedings of the grievance hearing are recorded, transcribed by a licensed transcriber, and filed with the USCS librarian in charge of archives. This librarian places the recording and other documents in a locked file. Individuals have access to the file only upon permission of the Grievance Committee. The grievant and the Chancellor also receive copies of the hearing.

Within ten days from the beginning of the hearing, the chair of the hearing panel notifies all parties to the grievance, in writing, of the hearing panel's final recommendations and rationale for those recommendations. Copies are sent to the grievant, the Chancellor, and to the hearing panel members. The recommendations of the hearing panel are considered the final word of the USCS faculty.

## Internal Channeling from the Committee

Recommendations of the hearing panel are forwarded to the Chancellor, who notifies within five days in writing the grievant and the hearing committee of a decision. If the Chancellor's decision is to reject any relief recommended by the hearing panel, the Chancellor shall state the reasons in writing to the faculty member and to the hearing panel. If the grievant does not accept the Chancellor's decision, the grievant has five days to appeal the decision to the President of the university. The President writes a decision and reasons to the Chancellor, hearing panel, and grievant within twenty days. Within seven days of receipt of notice of the disposition of the petition, the grievant may appeal the President's final action to the Academic Affairs Committee of the Board of Trustees. The appeal shall be on the entire record produced below unless the Board of Trustees or the Academic Affairs Committee directs a de novo hearing. The Academic Affairs committee, in consultation with the Faculty Liaison Committee, has thirty days in which to complete its review and communicate its findings to the President and the grievant. A review by this Committee of the Board of Trustees is the final level of recourse within the university, and actions by this Committee are final.





## APPENDIX A

### PATENT AND COPYRIGHT POLICY

#### Purpose and Scope

**Patents.** Although the search for commercially exploitable inventions is not a specific function of the university, a discovery leading to an invention may be a by-product of creative endeavor undertaken for other purposes. When such a discovery is made, it is the desire of the university to assist the inventor in evaluating, patenting, and exploiting his/her discovery. The purpose of this policy is to delineate procedures to encourage inventors to report discoveries with patent potential and to assist them while safeguarding the interests of all concerned parties. This policy pertains to all students, whether undergraduate, graduate, or postgraduate, part-time and full-time members of the faculty and staff, all other agents and employees of the university, and all other individuals who have made substantial use of the resources of the university.

It is the explicit intent of this policy to exclude any university claim to a discovery resulting from endeavor not supported by the university or endeavor to which the university's contribution is negligible. To safeguard against any future dispute as to university support, each discovery must be submitted for review in accordance with these procedures. A written opinion of the university will be provided the inventor to include, when appropriate, release of any university claim to the discovery.

Nothing herein will conflict with any agreement executed by the university with an outside agency. Outside sponsorship, particularly by federal agencies, usually involves agreement on patent matters, and each principal investigator will ensure that he/she and any fellow investigators understand such agreement. The Office of Sponsored Programs and Research will endeavor to obtain patent agreements with terms as favorable as possible for university personnel and will ensure that the inventor understands the final agreement.

**Copyrights.** The university places special emphasis on assistance to faculty for the development of instructional materials and other literary materials. The application of new technology to instruction and the creation of literary works often require expensive and complex equipment which cannot be owned or operated economically by individual faculty members or by regular departments on campus. In these cases the university often provides the necessary resources (or contracts for these resources). In addition, the development and production of educational or instructional materials, media materials, and literary or other materials often require specialized skills. Because data about the learning process, teaching modes, and new concepts in education are increasing very rapidly, it is

difficult for faculty to remain abreast of such developments without assistance. Therefore, many faculty utilize university consulting specialists and other types of support to bring themselves up to date. New instructional materials and other literary creations, consequently, may reflect a collaborative effort involving faculty members and other individuals or units on campus.

This policy governs the ownership, use, distribution and rights to income produced by these and other university-commissioned materials but specifically does not apply to materials or resources which are not university-commissioned (as defined in a later section of this policy statement). This policy applies to educational, literary, and media materials (regardless of medium utilized) provided the copyrightable material meets the university-commissioned test.

### Administration

**Committee.** The university Patent and Copyright Committee (hereafter called the committee) consists of three members appointed by the President and six members of the faculty elected for terms of three years, with two members elected annually. The committee will select its own chair. At any time the chair may call upon any member of the university to appear before the committee to augment its expertise.

The committee will consider individual cases prescribed herein and be the patent and copyright advisory body within the university. It will report to the Provost.

**Review Procedures.** Any student, whether undergraduate, graduate, or postgraduate, or any faculty or staff member, or any agent or employee of the university, or any individual who has made substantial use of the resources of the university, who believes he/she has a new invention, e.g., discovery, computer program, process, method, use or combination, whether patentable or not, or a university-commissioned copyrightable work, shall bring it to the attention of the committee through its chair. Within a reasonable time period, usually thirty days after receiving such notification, the committee will convene to consider the invention or work. In considering the invention or work, the committee may consult with and receive advice from the university's counsel. Within ninety days following the initial meeting, the committee will make a determination of disposition of the case within the options of this policy and report its findings and recommendations to the Provost in writing. The committee, if it deems appropriate, may recommend changes in the equities set forth herein. The committee will also take reasonable steps to ensure that any joint inventors or authors (including students) are identified and, when appropriate, will recommend distribution of income among the inventors or authors.

(Author[s] is used to designate the person[s] responsible for producing a copyrightable work.)

## Patent Policy

### Documenting a Discovery

When an individual believes he/she has conceived an invention, he/she should prepare a written and dated memorandum (disclosure statement) describing the invention (which serves as one proof of the date of conception). This memorandum, however, should be only supplementary to the careful keeping of regular laboratory notebooks. Included as a part of the memorandum should be the names of all inventors, drawings, sketches, and other pertinent data to illustrate the principle of operation of the invention and its performance. The inventor should date and sign each page of his/her notebook and the memorandum, including all sketches and data sheets. Two witnesses, who are thoroughly capable of understanding the invention and who are not joint inventors or not interested in it, should also date and sign each page. Because priority of filing a patent application is often a decisive factor in awarding a patent, it is important that the notebook be kept current and the disclosure document be prepared as soon as possible, since these records can be relied upon as corroboration of dates of conception and reduction to practice.

The law provides that the inventor is not entitled to a patent if his/her invention has been described in a printed publication any where in the world more than a year before his/her patent application is filed. Since extensive developmental work is often required before a patent application can be filed, an inventor should consider the desirability of delaying publication for a reasonable period of time.

The disclosure memorandum should be submitted to the chair of the committee for review in accordance with the procedures below.

**Invention Categories.** The committee will determine that the discovery belongs to one of the following categories.

**Category 1.** The discovery resulted from endeavor to which the university did not contribute or contributed insignificantly. In these cases the university relinquishes any equity, and the inventor is at liberty to dispose of his/her discovery as he/she sees fit. The inventor may elect to submit his/her discovery through the university to a patent development organization with which the university has entered into agreement.

A determination that a discovery belongs in Category 1 would indicate the inventor did not receive financial support from university resources other than salary and related benefits, did not use time during which he/she was released from duties, had no assistance from other faculty members, staff, or students unless

clearly shown to be on their own time, and made no use of university facilities, supplies, or equipment. Further, it would indicate that the inventor's association with the university was not a major factor in obtaining non-university support. A Category 1 discovery could also result from university support which is judged by the committee to be insignificant.

Category 2. The discovery resulted from endeavor supported by non-university agencies but with university sponsorship. In most cases a degree of university support will be evident, although in some instances association with the university as a factor in obtaining outside support may be the only university contribution. In cases in this category, the university reserves the right to patent and exploit the discovery, subject to such limitations as may be imposed by prior agreement with the external sponsor. Federal regulations require written invention disclosures and written assignments of such inventions made under programs sponsored in whole or in part by the federal government. Forms for the inventions, disclosures and assignments may be obtained from the committee or from the System Legal Department.

Category 3. The discovery resulted from endeavor supported by the university. In these cases the university reserves the right to patent and exploit the discovery.

#### Developing Marketable Discoveries

In each case where the university support is evident (Category 2 or Category 3), the university reserves the right to assume full title to the discovery, to obtain a patent, and to exploit the invention. Sometimes it will not be to the best interest of the university or the Carolina Research and Development Foundation to assume this responsibility, weighing the complexity and cost involved against probable returns.

In the event the university or the Carolina Research and Development Foundation declines to assume the responsibility for development, the inventor will have the option of proceeding independently or using the services of a patent development organization with which the university has entered into agreement. The decision by the inventor to proceed independently will release the university or the Foundation from any further responsibility, but for its contribution to the discovery the university or the Foundation will receive a share of any income realized from commercial exploitation. This share of income will be determined at the time that either the university or the Foundation declines to assume responsibility for development.



## Patent Development Organizations

The university has entered into formal agreements with, among others, The Battelle Development Corporation (BDC) and Research Corporation. Under each agreement the university may submit for evaluation such discoveries as it wishes. If the evaluation is favorable, BDC will provide the further development necessary to bring the invention to a point where it may be advantageously licensed. Research Corporation does not develop discoveries, nor does it provide funds to others for such development but rather relies on licensing established industrial concerns to do this at their own expense. Both organizations will accept title to the invention and proceed to obtain patents and to negotiate licenses. Any resulting income is divided among the organization, the university, and the inventor.

Normally, the inventor will recommend the organization to use in developing the discovery. The agreements between the university and the two organizations are filed in the Office of Sponsored Programs and Research where they are available for review, and members of the committee and of the Office of Sponsored Programs and Research may be consulted.

## Latent Discoveries

Frequently, an external agency will solicit materials or devices from a university project for investigation by the agency staff for any patentable discovery. Such a solicitation shall be referred to the committee which will determine whether there is any apparent discovery which should be developed under this policy. The committee will also determine whether proposed arrangements with the soliciting agency are reasonable from the point of view of the university and university personnel involved. It will submit a written report to the Provost who will take appropriate action.

## Equity

The equity in any marketable invention is expressed as a percentage of income. Nothing herein shall conflict with an agreement signed by the university as a condition to receiving support from an external sponsor.

1. In cases in which the inventor proceeds independently, but in which the university or the Carolina Research and Development Foundation has established an interest (Category 2 and 3), the university or the Carolina Research and Development

Foundation will receive a maximum of 15 percent of income after deducting from income any expenses of litigation and expenses including, but not limited to, research and development expenses, patent expenses, and licensing expenses.

2. In cases in which Research Corporation assumes responsibility, after first deducting any expenses of litigation consented to by the university, 42 percent of royalty income will be retained by the Corporation in accordance with the terms of the agreement. The first \$1,000 of the balance will be paid to the inventor, and any balance beyond \$1,000 will be divided equally between the university and the inventor. All costs of filing and prosecuting U.S. and foreign patents and for negotiating and administering licenses are paid by Research Corporation out of its 42 percent share of the royalty income.

3. In cases in which The Battelle Development Corporation assumes responsibility, 50 percent from income will be paid to BDC after deducting amounts from income necessary to reimburse BDC for its expenses including, but not limited to, research and development expenses, patent expenses, and licensing expenses. The first \$1,000 of the balance will be paid to the inventor, and any balance beyond \$1,000 will be divided equally between the university and the inventor.

4. In cases in which the university or the Carolina Research and Development Foundation assumes responsibility, 25 percent of income will be paid to the inventor after deducting from income any expenses of litigation and expenses, including but not limited to, research and development expenses, patent expenses and licensing expenses.

With a Category 1 discovery (no university interest), the inventor may elect to use the services of a patent development corporation, submitting his/her discovery through the University. In these cases the distribution of income between the university and the inventor will be adjusted in favor of the inventor.

## Copyright Policy

### Definition of University-Commissioned Educational and Other Literary Materials and Media Materials

1. The University of South Carolina recognizes the right of all employees to engage in the uncommissioned creation of scholarly, pedagogical, and artistic works subject to copyright and to copyright such works and to receive royalties from their use. Uncommissioned activities are defined as those which do not receive substantial aid from the university or from an outside agency through university channels. The university does not normally construe the provision of office and library facilities and modest routine secretarial assistance as constituting substantial aid, nor does it construe the payment of salary as

substantial aid except in situations where the funds are paid specifically to support the development of original materials subject to copyright. Scholarly books and articles, textbooks resulting from usual teaching activities, painting, musical compositions, graphic art, and media materials are all examples of work that may be uncommissioned.

2. The university gains a right to materials subject to copyright when such materials result from activity commissioned by the university or by an outside agency through university channels. The substantial aid that constitutes a commission may be in the form of directly allocated funds or of university facilities and resources. Educational, literary, and media materials which may be commissioned by the university include, but are not limited to, the following:

- a. books, periodicals, lectures, or other productions prepared for oral delivery and the notes to same, study guides, texts, syllabi, workbooks, bibliographies, and tests;
- b. programmed instructional materials;
- c. a work or works of art or models or designs for a work or works of art;
- d. slides, transparencies, charts, maps, photographs, drawings, prints, pictorial illustrations, labels, and other graphic materials, photographic or similar visual materials and film strips;
- e. computer programs;
- f. dramatic productions, musical productions or music compositions of any length or description;
- g. three-dimensional works of a scientific, technical, or instructional character;
- h. three-dimensional materials and exhibits;
- i. motion pictures;
- j. recorded video and audio tapes or live transmission;
- k. contributions to or component parts of any of the above, including notes, drafts, models, story outlines, scripts, shooting scripts, production outlines, out-takes;

1. combinations of the above and other types of materials; e.g., multimedia and other instructional or educational, literary, and media packages;
- m. reproductions of any of the above in any quality and in any form.

3. Faculty members, students, or staff members having questions as to whether educational, literary, and media materials they are preparing or planning to prepare should be considered university-commissioned must petition their department heads who will in turn notify the Patent and Copyright Committee of the circumstances surrounding the project. The petition should contain brief descriptions of the materials to be produced, the resources to be utilized, and a statement concerning the time to be devoted by the author/creator to its preparation. The committee may wish to call a hearing to further investigate the production of the piece of work in accordance with the Review Procedures in the section on "Administration." The findings of the committee and the Provost are subject to appeal as outlined in this section.

#### Ownership and Copyright

The legal title to all university-commissioned educational, literary, and media materials as defined in above shall be vested in the University of South Carolina with the following exception: materials produced on grants from the federal government or other outside sponsors shall be subject to the conditions of the contract or grant (to be negotiated solely by the university) with respect to ownership, distribution, use, and other residual rights of and to such materials. All such materials shall bear the required statutory notice of copyright naming the university as the copyright proprietor. The university will advance the copy rights on those materials deemed by legal counsel to be eligible for new copyright. After consultation with the author, the university may at its discretion use, assign, transfer, license, lease, or sell all or part of its legal rights in educational, literary, and media materials.

#### Pre-Production Agreement

Since conditions of production, use, and final disposition will vary from time to time, prior to the beginning of production authors/creators and the university will develop written



agreements to define the rights and responsibilities of the parties. Such agreements are subject to the guidelines set forth herein and will be complete and specify any or all exclusions. The university legal staff will be consulted so that appropriate contractual details may be worked out, and a final copy of all contracts shall be maintained on record in the legal office.

#### Internal University Use

"Internal" is defined as all University of South Carolina campuses and extensions by television or otherwise. All use of university-commissioned materials by any unit of the university for instruction or other purposes will be subject to the following conditions:

1. Use internal to the university requires approval of the college, department, or individual primarily responsible for the materials, so long as said materials are used within the context of their intended use. Use out of such context requires special permission of the creator and his/her department.
2. The contribution of the faculty member, student, or staff member involved in the production of university-commissioned materials must be explicitly recognized and noted by the user.

#### External Use

After consultation with the author, the university as owner and copyright holder may at its discretion assign, license, transfer, lease, sell, or otherwise convey all or part of its rights in university-commissioned materials. Charges to external users will be negotiated solely by the university or its assignees with such users. It is possible that differing fees to other State agencies, nonprofit educational users, consortium users, and others will be a result of these negotiations. In any case, the university has the exclusive right to set per unit prices, package prices, and conditions under which sale, lease, reproduction, or use of materials is authorized.



## Revision

Revision of university-commissioned material which does not require substantial university resources may be made at any time by the faculty member, student, or staff member involved subject to the approval of the member's department.

The responsible faculty member may recommend to the university and other users the discontinuance of distribution and/or use of materials which he/she deems no longer appropriate or which he/she judges to be detrimental to his/her professional reputation. Mutual agreement by both parties is required for revision or discontinuance in such cases. After a significant period of non-use (at least three years), materials which have not been revised shall be reviewed by the authoring faculty member, student, or staff member, and the university unit or units most directly involved in their production and the authoring faculty member, student, or staff member may request their withdrawal, erasure, or destruction. The university, in its sole discretion, may require such withdrawal, erasure, or destruction, and its decision in that regard shall be final.

## Equity

With the exception specified below, the university shall not make any payment to the university-employed faculty member, student, or staff member involved in the production of university-commissioned educational, literary, and media materials for production and internal use other than the compensation which he/she regularly receives from the university.

1. Exceptions on payments for internal use of materials:

- a. At the discretion of the department chair, faculty will normally be accorded released time at a declining level through the stages of planning, production, and presentation, including the first and subsequent semesters of utilization. Faculty eligible for released time include the responsible faculty member and other faculty members assigned to work on the project by department or its functional equivalent.
- b. If the faculty member, student, or staff member leaves the university, further internal use of the materials upon reasonable terms shall be provided for and payments to his/her estate for such internal use of the material shall continue to be made, subject to terms of pre-production agreements.
- c. A faculty member, student, or staff member not on assignment to the university (e.g., during summer

sessions or on leave) but appearing in or involved in producing educational, literary, or media materials may be provided compensation when such materials in which he/she personally and prominently appears are used. Compensation will be mutually agreed upon in the pre-production agreement by the faculty member, student, or staff member and the department involved, based upon (1) the amount of continual responsibility of the party involved for monitoring, revision of lessons, or supervision of the work of the course if known; (2) whether the course is completely or partially recorded; (3) the extent to which the participating faculty member, student, or staff member's time and creative efforts have been previously compensated; and (4) any other relevant factors.

2. The university shall have the perpetual right to market or license external use of university-commissioned materials. The financial benefits of external distribution shall be shared by the department or functional equivalent; the responsible faculty member, student, or staff member; and the institution, with a negotiated portion designated for outside or non-university production sources as required.

- a. The division of income accruing to the university under this policy shall be: 25 percent to the faculty member, student, or staff member (to be divided equitably if there is more than one originator); 25 percent to the department and/or other functional unit which authorized and supported the development and production of the materials; 25 percent to the Instructional Development Fund; and 25 percent as general university income. The monies distributed to the department and/or other functional units and to the Instructional Development Fund shall be used to encourage further educational and instructional activities by the faculty.
- b. Exceptions to distribution percentages and/or payment provisions may be made for incentive purposes but must be negotiated in preparation agreements.

3. If the university licenses an external agency to produce or market the materials, the total royalties shall be negotiated between the university and the external agency. The net income from royalties accruing to the university shall be divided among the faculty member, student, or staff member, the university, and the department in the same proportions as previously delineated.

4. It is expected that the share of each department (or functional equivalent) will be devoted to (1) teaching load adjustment necessitated by production, or (2) development of new

course materials or other educational, literary, and media works and/or the revision or upgrading of the original materials.

5. The distributions above shall be continuing except in the case of termination or death (see 7 below.)

6. The foregoing does not apply to "work-for-hire" arrangement or to the production of copyrightable materials as an assigned duty.

7. The institution's right to use materials will continue regardless of the employment status of the responsible faculty member, student, or staff member. The author/creator's share in external distribution revenues shall remain the same for a ten-year period and shall accrue to his/her heirs in the event of termination or death.

### Protection and Liability

**Protection.** The university shall be responsible for the investigation of recorded allegations of unauthorized use or infringement of copyrighted materials. Where legal action is deemed necessary by the university, in its sole discretion, to enforce copyrights, the university agrees that all costs and expenses incidental to such actions shall be borne by the university and any proceeds of litigations in excess of costs shall be shared between the parties in the proportions set forth previously (as applicable) when final adjudication of the legal action is rendered.

**Liability.** The faculty member, student, or staff members responsible for the creation of university-sponsored educational, literary, and media materials shall obtain appropriate releases from individuals prominently appearing in or giving support to the materials, giving all necessary rights to the university. Form releases may be obtained from the System Legal Department. All original releases must be filed with the university's legal counsel.

Before any external use is made of university-sponsored material, the faculty member, student, or staff member authoring or creating the material shall certify in writing to the university that to the best of his/her knowledge materials used therein do not infringe or violate any existing copyright or other personal or property right of any legal or natural person. If this statement proves false due to misrepresentation or negligence, the faculty member, student, or staff member shall indemnify and hold harmless the university for all costs and expenses to which it has been subjected as a result of such representation made herein.

In the event that others allege violations of personal or property rights by the university, or by the faculty member, student, or staff member, or producer of university-sponsored educational and other literary materials, the university will assume responsibility for defense of any litigation and the

satisfaction of any judgment rendered against the university, faculty member, student, or staff member. (This provision is subject to the conditions set out above.)

### Consultant Activity

A member of the university staff may be permitted to do professional work of an expert character outside the university and to receive pay therefor when the work in question contributes to the professional development of the faculty member. No such outside work shall be undertaken except on the prior approval of the dean of the school or college concerned and prior authorization of the Provost. The university reserves the right to declare a conflict of interest at any time. Laboratories, equipment or other facilities of the university generally are not available to university employees for consulting work. Patent and copyrights for approved consultant activities are matters to be decided between the faculty member and the outside agency. If, however, university facilities are used, an interest of the university is thereby established, and agreement as to patent and/or copyright matters should be resolved before undertaking the project. Conversely, when the university hires a consultant, specific prior arrangements should be made in the consultative agreement for protection of the university's rights. The Patent and Copyright Committee should be consulted for assistance in resolving these questions.

In cases where a university employee is hiring a consultant to be paid from a university grant or contract, such consulting is subject to the funding agency's regulations imposed within the grant or contract document. Further, if the consultant to be hired is a State employee, remuneration for such activities is governed by the university's policies on extra compensation and the State's policy on dual employment.





**Bylaws of the Faculty Senate  
Adopted 1986**

**Article I: Purpose and Responsibilities**

The Faculty Senate of the University of South Carolina at Spartanburg, having been created by direction of the university faculty to act by and for that body, is endowed with all the powers and responsibilities of the university faculty except for those powers specifically reserved by that body to itself, provided that the university faculty may amend or repeal any actions of the Faculty Senate. Powers specifically reserved by the faculty, include, but are not limited to, election of faculty officers and committee members.

**Article II: Members**

**Section 1.** The Faculty Senate membership is composed of voting members of the university faculty elected from each division, each school, and the library (hereinafter referred to as electoral units). For the purpose of these bylaws, the term "voting member" is defined as specified in the *Faculty Manual* of the University of South Carolina at Spartanburg.

**Section 2.** Representation on the Faculty Senate shall be allocated as follows: one representative for every seven faculty members (or portion thereof) per electoral unit. Representatives of electoral units shall be elected by secret ballot by the members of that unit. These representatives shall be elected prior to the September faculty meeting, except that a vacancy occurring in midyear shall be filled as soon as practicable according to the procedure described above.

The Faculty Secretary shall designate terms of one, two, and three years for Senate members so that approximately one-third of the members will be elected each year. This designation shall be made so that each electoral unit, shall have a reasonable balance of members with each of the terms. Thereafter members of the Senate shall have terms of three years, unless chosen to fill unexpired terms.

**Section 3.** [This Section is Amended by Amendment I] No later than the opening of the fall terms each year, the chief administrator of each electoral unit shall recompute the number of Senate members to which his/her electoral unit is entitled and revise the number of vacancies to be filled accordingly.

**Amendment I.** No later than February 1, the chief administrator of each electoral unit shall submit to the Faculty Advisory Committee a list, by name, of the voting members of the faculty of their units as of the spring semester 1985. The Faculty Advisory Committee will compute the number of senators for each voting unit. Reapportionment will be accomplished thereafter every third year as early as practicable during the spring semester.

Revised 7/30/92

A reduction in voting membership of an electoral unit shall not result in the removal of any senators until the expiration of their terms. An increase in voting membership of an electoral unit during the year shall not increase the number of representatives to which that unit is entitled for that year.

When an additional representative position must be added to the Senate due to increased membership in an electoral unit, the Faculty Secretary shall assign to that new position a term of one, two or three years to maintain the balance of one, two, and three-year terms on the Senate with preference being given to the longest possible terms.

#### Article III: Officers

The presiding officer of the Senate shall be the Faculty Secretary who shall prepare and circulate the agenda to all members of the faculty at least five days prior to the meeting date. The Faculty Secretary-elect shall serve as presiding officer in the absence of the Faculty Secretary. The recording Secretary shall record and distribute to the faculty written minutes of Senate meetings, and annually compile and publish a summary of Senate actions. The immediate past Faculty Secretary continues to serve as a faculty officer.

The four aforementioned officers are voting members of the Senate, except that the presiding officer shall vote only to break a tie.

#### Article IV: Procedures, Stipulations, and Conduct of Business

Only members of the Faculty Senate may present motions and vote. Any member of the university faculty may attend any Senate meeting and speak on matters brought before the Senate.

All votes taken in the Senate shall be voice, unless a written ballot is desired by any senator;

The Faculty Secretary shall call a faculty meeting for the purpose of reconsidering an action of the Senate upon receipt of a petition signed by 25 percent of the voting members of the faculty; a decision made by the Senate may be overruled at a regular or called general faculty meeting by a majority of the full faculty membership.

Faculty Committees shall report directly to the faculty Secretary who will be responsible for placing appropriate items on the agenda.

The Senate shall follow Robert's Rules of Order (Revised) unless otherwise stipulated. All elections are conducted by secret ballot.

An agenda is prepared prior to the Senate meeting by the faculty Secretary and is distributed to all faculty members at least five business days prior to the Senate meeting. Senate members may contribute to the agenda by submitting items to the Faculty Secretary ten days prior to the meeting.

## Article V: Meetings

Section 1. Regular meetings of the Senate shall be held monthly during the academic year, and once during the Summer Session.

Section 2. Special meetings of the Senate can be called by the Faculty Secretary upon the written request of ten (10) members of the Senate or by the Chancellor, Vice Chancellor, or the Faculty Secretary. The purpose of the meeting shall be stated in the call. The Senate may not consider other business beyond that stated in the call for a special meeting.

Except in cases of emergency, at least three (3) business days notice shall be given the faculty and the meeting must be held within eight (8) business days from the receipt of the written request.

Section 3. A majority of the members of the Senate shall constitute a quorum.

## Article VI: Committees of the Senate

The Faculty Secretary may create ad hoc committees composed of members of the Senate when the need for such committees shall arise.

## Article VII: Amendment of Bylaws

These bylaws can be amended at any regular meeting of the Faculty Senate by a two-thirds vote, provided that the amendment has been submitted in writing at a previous regular meeting.

## Article VIII: Publication of Bylaws and Rules

The bylaws of the Faculty Senate shall be published in the *Faculty Manual* and in such other form as may be convenient for distribution, and such publications shall be revised from time to time as deemed necessary.



## APPENDIX C

### AMENDMENTS TO THE FACULTY MANUAL

An amendment of the Faculty Manual may be initiated by the Faculty Senate, the Faculty Advisory Committee, or the Chancellor. An amendment is considered in this order: by the Faculty Senate, the faculty, the Vice Chancellor for Academic Affairs, the Chancellor, the President, and the Board of Trustees. When approved by the Board of Trustees, the amendment is placed in the Faculty Manual. If the Chancellor disapproves an amendment approved by the Faculty Senate and the Faculty, it is returned to the Faculty Senate within 30 days of receipt, together with the reasons for disapproval; the Faculty Senate may (1) drop the amendment, (2) revise the amendment and refer it to the faculty for action; or (3) return it without revisions to the Chancellor, who, within 10 days of receiving it sends it forward without a recommendation to the President and notifies the Faculty Secretary of the action.





## APPENDIX D

### PART-TIME FACULTY POLICY

The employment of part-time faculty members provides economy and flexibility to institutions. It is highly desirable at USCS where growth has been continual, and where the funding formula provides support a year after growth has occurred, and full formula funding has not been realized for more than a decade. Part-time faculty are employed to provide specialized requirements in certain areas, to accommodate surges in enrollment and the initiation of new programs.

While the need for part-time faculty is clear, they usually are not as familiar with the University's mission, philosophy and academic policies as full-time faculty members and do not have the same level of commitment to the students and the University. In recognition of these facts of life, an orientation is held for part-timers each year and they are provided with a handbook. The University also recognizes that an over dependence on part-time faculty is unwise and so endeavors to limit the number of courses taught by part-time faculty members employed in any academic program to less than 20 percent.

All part-time faculty employed by USCS will have at least a master's degree and eighteen hour of graduate work in the area of their teaching. Further, part-time faculty will be evaluated annually by deans or division chairs as appropriate. A report of the evaluation will be kept on file in the responsible dean's office. The ADN Program in Nursing is exempted from this policy.



## APPENDIX E

### SABBATICAL LEAVE POLICY

Each school or division may have no more faculty members on sabbatical leave in any academic year than is determined by reference to the following table:

Number of Faculty Eligible for Sabbatical Leave in the <u>School/Division</u>	Number of Sabbatical Leaves Available Pending <u>Availability of Funds</u>
0-7	1
8-14	2
15-21	3
22-28	4

In case more faculty members in a given school or division apply for a sabbatical leave in a given year, the priority order will be determined in order of preference by the quality of the proposal, by rank (professors to be selected before associate professors, etc.), and finally, by the number of years of service since the last sabbatical leave.





## APPENDIX F

### SALARY INCREASES POLICY

The University endeavors to pay salaries which are above the average by discipline of those paid at peer institutions in South Carolina. Salary increases are made on a combination of across-the-board and merit bases, the percentage allocation depending on such factors as the change in the inflation rate and the level of state support. Salary reviews reflect the annual evaluations. Salary increases are initiated by the Deans, then forwarded to the Vice Chancellor, who makes recommendations to the Chancellor.

Revised 7/30/92



## INDEX

### A

Academic and Facilities Planning, 2-6  
Academic Freedom, 2-17  
Admissions and Petitions Committee, 2-6  
Advising, 2-15  
Advisory Committee, 2-9  
Affirmative action, 3-2  
Annual leave, 3-4  
Annual Review  
    administrative, 5-2  
    appeal of, 5-3  
    criteria, 5-1  
    faculty reviewed, 5-2  
    files, 5-2  
    objectives of, 5-1  
    publication of rankings, 5-4  
Appointment Procedures, 4-1  
Appointment with tenure, 6-6  
Appointments  
    dean, 4-1  
    faculty, 4-1  
Appointment criteria, 6-4  
Assistant Dean  
    description 1-7  
    selection, 4-3  
    term, 4-4  
Assistant librarian, 6-5  
Assistant professor, 6-4  
Associate Chancellor  
    admissions/graduate, 1-6  
    business affairs, 1-6  
    student affairs, 1-6  
Associate librarian, 6-5  
Associate professor, 6-4  
Athletic Advisory Committee, 2-7

### B

Board of Trustees, 1-1  
Boards and Commissions, 1-1

### C

Chancellor, 1-5  
Class meetings, 2-15  
Commission for Higher Education, 1-3

Committee  
    appointments, 2-5  
    chair, 2-4  
    chair-elect, 2-4  
    elections, 2-5  
    jurisdiction, 2-5  
    librarian, 2-4  
    new, 2-5  
    responsibility, 2-5  
    special, 2-14  
    structure, 2-3  
    terms, 2-3  
    vacancies, 2-4  
    conduct of business, 2-3  
    consultant activity, 3-9, A-13  
    course objectives, 2-15  
    court leave, 3-6  
Credit Union, 3-17

### D

Dean  
    selection, 4-1  
    term, 4-3  
Death in Family, 3-6  
Disability Insurance, 3-15  
Disability Income Plan, 3-15  
Division Chair  
    description, 1-7  
    selection, 4-3  
    term, 4-4  
Dual employment, 3-2

### E

Emeritus title, 3-17  
Employment  
    administration, 3-3  
    dual, 3-2  
    leave, 3-4  
    nepotism, 3-3  
    outside, 3-1  
    policy changes, 3-3  
    summer sessions, 3-1  
    terms, 3-1  
    work schedule, 3-2  
Ethics Committee, 2-13

Ex Officio, 2-4  
Examinations regulations, 2-3  
Executive Academic Affairs, 2-7

F

Faculty Committees, 2-3  
Faculty Organization, 2-1  
Faculty Powers, 2-1  
Faculty Recording Secretary, 2-14  
Faculty Secretary, 2-2, 2-14  
Faculty Secretary-elect, 2-2, 2-14  
Faculty Senate, 2-14  
    conduct of meetings, 2-14  
    membership, 2-14  
    officers, 2-14  
    responsible to general faculty, 2-14  
Faculty, appointments, 4-1  
Faculty  
    in more than one unit, 2-2  
    membership, 2-1  
    officers, 2-2  
    powers, 2-1  
Final examinations, 2-16  
Financial Exigency, 3-9, 6-13  
Flexible Benefits Plan, 3-16

G

General Meetings, 2-2  
Grading, 2-15  
Grants administration, 2-8  
Grievance Procedures  
    administrative review, 7-2  
    committee, 2-11  
    deadlines, 7-2  
    grounds, 7-1  
    hearing panel, 7-3  
    purpose, 7-1

H

Holiday leave, 3-6

Institutional Review Board, 2-13  
Insurance Plans  
    cancer, 3-11  
    changes, 3-12  
    dental, 3-12  
    disability, 3-15  
    disability income, 3-15  
    flexible benefits plan, 3-16  
    group life, 3-14  
    health, 3-11  
    hospital income plan, 3-11  
    life, 3-12  
    long-term care, 3-15  
    termination, 3-13  
    universal life, 3-12  
Interdisciplinary Studies  
    Academic Affairs Committee 2-8

L

Leave  
    annual, 3-4  
    court, 3-6  
    death in family, 3-6  
    holiday, 3-6  
    military, 3-6  
    sabbatical, 3-7  
    sick, 3-5  
    without pay, 3-6  
Librarian, 6-5  
Library Committee, 2-11  
Long-Term Care Plan, 3-15

M

Maggie's Drawers, 2-13  
Military leave, 3-6

N

Nepotism, 3-3  
Nominating Committee, 2-12  
Non-renewal, 6-7, 7-1  
Nursing Program Directors, 1-7

## O

Office hours, 2-15  
Outside employment, 3-1

## P

Patent & Copyright  
administration, A-2  
agreements, A-8  
categories, A-3  
committee, A-2  
consultant, A-13  
development, A-5  
documentation, A-3  
equity, A-5, A-10  
external use, A-9  
internal use, A-9  
latent, A-5  
liability, A-12  
marketing, A-4  
ownership, A-8  
policy, A-1  
protection, A-12  
review procedures, A-2  
revisions, A-10  
univ. commissioned work, A-6

## Peer Review

appeal of, 5-6  
chair, 5-6  
committee membership, 5-5  
criteria, 5-1  
faculty reviewed, 5-4  
files, 5-2  
objectives of, 5-1  
responsibilities, 5-5

## Personnel administration, 3-3

## Political activity, 3-4

## President, 1-4

## Probationary Period, 6-6

## Professor, 6-4

## Program Director

description, 1-7  
selection, 4-3  
term, 4-4

## Promotion and Tenure

Chancellor's recommendation, 6-9  
committee, 2-11, 6-1  
criteria, 6-4  
file submissions, 6-8  
proxy voting, 2-3  
recommendations, 6-9  
review procedures, 6-8  
voting, 6-9

## Proxy voting, 2-3

## R

Ranks, criteria for, 6-4  
Recording Secretary, 6-2  
Reduction in force, 3-9  
Research  
conflict of interest, 3-8  
grants administration, 3-8  
university funds, 3-8  
Retirement  
401-K Plans, 3-16  
annuities, 3-16  
contributions, 3-13  
deferred compensation, 3-16  
membership, state plan, 3-13  
optional program, 3-15  
social security, 3-16

## S

Sabbatical leave, 3-7  
Savings Bonds, 3-17  
Scholarship and Creativity, 6-2, 6-3  
Senate Officers, 2-14  
Service, 6-2, 6-3  
Sick leave, 3-5  
Social Security, 3-16  
Standing Committees, 2-6  
Student Affairs Committee, 2-11  
Student Financial Aid Committee, 2-12  
Student Petitions, 2-16  
Summer Sessions, 3-1  
Syllabi, 2-15

## T

Tax Deferred Annuities, 3-16  
Teaching Effectiveness, 6-2  
Teaching Responsibilities, 2-15  
Tenure  
at appointment, 6-6  
criteria, 6-1  
definitions, 6-2  
not eligible, 6-7  
regulations, 6-5  
review procedures, 6-8  
voting, 6-9  
Termination, 6-10  
Textbooks, 2-16



U

Unemployment Compensation, 3-17  
University Officers, 1-4  
University Publications Board, 2-12

V

Vice Chancellor, 1-6  
    academic affairs, 1-6  
    development, 1-6  
    institutional support, 1-6  
Voting, 2-1  
Voting Units, 2-1

W

Welfare Committee, 2-10  
Work schedule, 3-2





University of South Carolina - System Libraries



1 200 08026151

